

cents, of which amount there is expended for material 50 cents, which includes water, fertilizer, and packing materials; and there is expended for labor per box 25 cents.

The rate of transportation to America per box is 25 cents, making a total cost, without interest, of a box of lemons from Italy, in New York Harbor, \$1; and after paying the duty, amounting to 84 cents, makes a total cost on New York market of \$1.84, as against the cost of the California lemon of \$2.32; or a difference in favor of the Italy grower per box of 48 cents.

According to our consul's report the average production in Italy is about 300 boxes per acre, which means that a grower in Italy can make per acre \$150, selling lemons at a price which would leave the California grower no returns whatever. From this situation it is very evident that one of the three alternatives must occur—either the tariff duty must be advanced to 1½ cents per pound, or the price of labor must be materially reduced, or we, as a Nation, must continue to eat foreign lemons.

Mr. FLINT. The increase in this rate amounts to about 36 cents a box. Under the present market conditions the California grower is not able to enter the New York market, as imported lemons are now selling in the New York market for less than the cost of California fruit delivered.

Mr. BURKETT. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Nebraska?

Mr. BURKETT. Will the Senator let me ask him a question?

Mr. FLINT. Certainly.

Mr. BURKETT. This is the important point in all this discussion, it seems to me. I have here the brief of the Lemon Growers' Association as they filed it before the Ways and Means Committee of the House. I will begin in 1906. I might go back, although some years are not quite so large. In 1906 the profits per acre of the lemon orchards, as shown by the brief which they filed—

Mr. FLINT. What page?

Mr. BURKETT. I have page 3862. The profit of the lemon growers in 1906 was \$119 an acre; in 1907 it was \$88 an acre; in 1908, \$50 an acre. There was a year—1900—when it seems to have been very low—\$3 per acre. That is the profit after taking out the expenses, as I take it; but the lowest is \$3 an acre. Then it runs to \$10 an acre, \$14 an acre, \$18 an acre, \$28 an acre, \$48 an acre, \$69 an acre, \$50 an acre, \$88 an acre, \$119 an acre. It runs from \$3 an acre to \$119 an acre. To one who lives in an agricultural region, of course, that seems an enormous profit.

I understand that the price of the land is a great deal higher than average agricultural land; but, nevertheless, with almost any priced land, those profits—clear profits—certainly represent more than land in any other agricultural section in this country yields.

I can not understand, therefore, the Senator's statement, which he has just made, that the lemon planters are in a very serious condition and that they can not sustain themselves under the present duty. That, together with the fact, as shown in the first column of the same table, that this industry in planted acres has grown from 6,518 acres in 1898 to 16,718 acres in 1908—almost treble in ten years—makes it difficult for one to understand the statement of the Senator with reference to their condition; and if the Senator can explain it, I should like to hear the explanation.

Mr. FLINT. The Senator did not read the entire statement. I wish he had done so. I will ask to have it inserted in the Record as a part of my remarks. It shows the average profit per acre during the ten years to be \$43.19 an acre.

The table referred to is as follows:

*Citrus industry in California for eleven years—Average production, selling price, cost of production, and profit of an average grove per acre.*

Variety.	Year.	Acres.	Boxes produced.	Total boxes.	Average price per box f.o.b.	Gross average per acre.	Producing cost per acre without interest.	Selling cost per acre.	Profit per acre.
Oranges.....	1896	30,193	5,371,000	5,734,800	\$1.25	\$191.00	\$172.00	\$9.00	\$10.00
Lemons.....	1898	6,518	363,800						
Oranges.....	1899	34,966	3,628,000	3,909,800	1.72	154.00	101.00	5.00	48.00
Lemons.....	1899	8,672	281,800						
Oranges.....	1900	39,146	6,283,000	6,734,500	1.70	228.00	151.00	8.00	60.00
Lemons.....	1900	10,827	451,500						
Oranges.....	1901	43,162	8,459,500	9,371,800	1.22	203.00	190.00	10.00	3.00
Lemons.....	1901	12,979	912,300						
Oranges.....	1902	47,245	7,499,900	8,378,500	1.68	225.00	153.00	8.00	64.00
Lemons.....	1902	15,119	878,600						
Oranges.....	1903	48,086	8,438,800	9,265,300	1.29	191.00	168.00	9.00	14.00
Lemons.....	1903	14,412	826,500						
Oranges.....	1904	52,251	10,306,200	11,174,200	1.09	198.00	205.00	11.00	18.00
Lemons.....	1904	9,226	868,000						
Oranges.....	1905	59,828	10,538,200	11,871,700	1.37	231.00	193.00	10.00	28.00
Lemons.....	1905	10,399	1,333,500						
Oranges.....	1906	67,405	9,170,700	10,352,900	2.11	276.00	149.00	8.00	119.00
Lemons.....	1906	11,572	1,182,200						
Oranges.....	1907	85,738	9,908,000	11,005,300	2.00	221.00	126.00	7.00	88.00
Lemons.....	1907	13,478	1,097,300						
Oranges.....	1908	104,073	10,486,000	12,071,000	1.75	170.00	114.00	6.00	50.00
Lemons.....	1908	16,718	1,585,000						
Total oranges.....			90,089,300	99,869,800	1.56	208.00	156.54	8.27	43.19
Total lemons.....			9,780,500						
Average.....									

<sup>a</sup> Loss.

Total profit on investment, \$43.19 per acre. Average cost of 1 acre, \$1,000. Average interest on amount, 4.3 per cent.

Mr. FLINT. The price of land in California is not excessive. The value of the land is about \$300 per acre. The cost of bringing a lemon grove into bearing is about \$1,000 per acre. I have understood from the Senator that there are in his State lands worth \$300 an acre.

Mr. BURKETT. There is not for agricultural purposes, I will say. There might be a small piece of land close to a city somewhere, but not land for agricultural purposes.

Mr. FLINT. I know that in the States of Idaho and Montana, and in various other States, apple land sells for \$300 an acre; and as high as \$500 an acre, the Senator from Utah says.

Mr. BURKETT. That might be true with respect to a special apple or peach orchard in our State, but not as to land for general agricultural purposes.

Mr. ALDRICH. If it will be convenient to the Senator from California to proceed with his argument on Monday, I will move that the Senate adjourn.

Mr. FLINT. Certainly.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, May 31, 1909, at 10 o'clock a. m.

## SENATE.

Monday, May 31, 1909.

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The Journal of the proceedings of Saturday last was read and approved.

### PETITIONS AND MEMORIALS.

Mr. WARNER presented a memorial of sundry employees of the Kansas City Post, of Kansas City, Mo., remonstrating against the imposition of a duty on news print paper and wood pulp, which was ordered to lie on the table.

Mr. DEPEW presented memorials of Local Union No. 113, International Brotherhood of Stationary Firemen, of Palmer; of Local Union No. 269, International Brotherhood of Stationary Firemen, of Fort Edward; and of sundry compositors, stereotypers, mailers, and pressmen of the Abdenblatt, of the New Yorker Staats-Zeitung, of New York City, all in the State of New York, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of the Marine Trades Council of the port of New York, remonstrating against the disrating of employees in the New York Navy-Yard, which was referred to the Committee on Naval Affairs.

Mr. FRYE presented a petition of the mappers, compositors, stereotypers, and pressmen of the Lewiston Journal Company, of Lewiston, Me., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented petitions of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Chisholm; and of Local Union No. 14, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Lisbon, in the State of Maine, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

Mr. ROOT presented memorials of the board of education of Fort Edward; of Local Union No. 5, of Ticonderoga; Local Union No. 20, of Piercefield; Local Union of Fort Edward, and of Fenimore Local Union No. 2, of Sandy Hill, all of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers; of Local Union No. 130, of Watertown; Local Union No. 17, of Syracuse; Local Union No. 189, of Ticonderoga; Local Union No. 269, of Fort Edward; Local Union No. 241, of Piercefield, and of Local Union No. 113, of Palmer, of the International Brotherhood of Stationary Firemen, all in the State of New York, remonstrating against a reduction of the duty on print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of the New York City Federation of Women's Clubs, remonstrating against the condition of affairs in Armenia, which was referred to the Committee on Foreign Relations.

He also presented memorials of the compositors, stereotypers, and pressmen of the Troy Record, of Troy; the Journal of Commerce and Commercial Bulletin, of New York City; the Star-Gazette, of Elmira; the Brooklyn Daily Times, of Brooklyn; the Evening Standard, of Cortland; the Syracuse Journal, of Syracuse; the Abendblatt, of the New Yorker Staats-Zeitung, of New York City; the North Side News, of New York City, and of sundry newspaper workers of Brooklyn, New York City, Bath Beach, Sheepshead Bay, and Glendale, all in the State of New York, remonstrating against any change being made in the rate of duty fixed by the House bill on print paper and wood pulp, which were ordered to lie on the table.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 2496) granting an increase of pension to Sophia W. Sanborn (with the accompanying papers); to the Committee on Pensions.

By Mr. JOHNSTON of Alabama:

A bill (S. 2497) for the relief of the heirs of Susan Fletcher, deceased; to the Committee on Claims.

By Mr. WARREN:

A bill (S. 2498) for the relief of the heirs of Richard W. Meade, deceased; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 2499) extending the provisions of the bounty-land law of March 3, 1855, to persons who participated in the Indian wars of the United States prior to April 12, 1861; to the Committee on Public Lands.

By Mr. STEPHENSON:

A bill (S. 2500) granting an increase of pension to James C. Watson (with the accompanying papers); to the Committee on Pensions.

#### THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment of the Committee on Finance to paragraph 273. It will be read.

The SECRETARY. In paragraph 273, page 84, line 7, before the word "cents," it is proposed to strike out "one-fourth" and insert "one-half," so as to read:

Lemons, 1½ cents per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. FLINT. Mr. President—

Mr. HEYBURN. Mr. President, I would suggest the absence of a quorum.

The VICE-PRESIDENT. On that suggestion the Secretary will please call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clarke, Ark.	Hale	Perkins
Beveridge	Clay	Heyburn	Rayner
Bradley	Crawford	Hughes	Root
Briggs	Culberson	Johnson, N. Dak.	Scott
Bristow	Cummins	Johnston, Ala.	Smith, Md.
Brown	Curtis	Jones	Smith, Mich.
Bulkeley	Dick	Kean	Smoot
Burkett	Dillingham	Lodge	Sutherland
Burnham	Dolliver	McEnery	Warner
Burrows	Fletcher	Nelson	Warren
Burton	Flint	Oliver	Wetmore
Carter	Foster	Page	
Clark, Wyo.	Gallinger	Penrose	

Mr. JONES. I desire to state that my colleague [Mr. PILES] is necessarily absent from the Chamber on business this morning.

The VICE-PRESIDENT. Fifty Senators have responded to their names. A quorum of the Senate is present. The Senator from California will proceed.

Mr. FLINT. Mr. President, I do not intend to delay the Senate much further in discussing this subject.

A question was asked me by the Senator from Nebraska [Mr. BURKETT], as I was closing my remarks on Saturday, as to the cost and the profit per acre from a lemon grove. The profit on an average grove, as shown by the report that I submitted in my remarks, is \$43.65 per acre for the entire citrus-fruit industry in southern California during the last eleven years. The average profit which lemon growers have received during this period is about 4 per cent on their investment.

The points I desire to call to the particular attention of the Senate are: Should we allow this industry to be destroyed by foreign importations, and, if the industry is destroyed, will it not result in an increase in the price of lemons in this country?

We have imported during the last ten years 1,679,669,265 pounds of lemons, with an approximate net profit to a small group of importers of \$16,796,632, which sum would buy the 16,000 acres of lemon groves in California which 5,000 men have worked twenty years to produce.

The reason why the production of both oranges and lemons in California insures moderate prices is because the inviting business, from the standpoint of health, comfort, and a pleasing occupation, leads to a production that at all times equals the consumption in the markets available at living prices. The product, being perishable, is not subject to speculation, manipulation, or monopoly. The entire crop must be marketed in this country and continuously as it matures. This condition insures at all times a full supply, and therefore the consumer has the larger voice in fixing the market price. It is also worthy of notice that California has 10,000 growers and producers of citrus fruits, and this large body of men can never be worked as a unit, while the importers are confined to a very small group, closely associated.

The production of each carload of lemons in California means the expenditure of \$325 for labor directly, and in addition to the amount for labor expended in producing the orchard to bearing age and the labor expended in making boxes and wrapping paper in which to pack the fruit and the preparation of fertilizers for the ground and in securing water supply for irrigation; so that it can be safely said that for every additional car that California is allowed to produce it will mean a good living for a family. If the increase of duty be granted, it will mean approximately 5,000 additional cars of lemons per annum in ten years from this time and support for an additional population of 25,000 people, and this amount will be gradually increased as the consumption of lemons is increased through lower prices and better education in the use of the lemon as an article of diet and medicine.

It is contended that the California producers can not supply the lemons consumed in this country. This is true at present. It would not be possible for the California producers at this time to supply the 12,000 carloads annually consumed in the United States. But, unless we have this protection, it will only be a short time until we will not be able to supply even the part we are now supplying. At the present time lemons are selling at a price at which they can not be produced in California, and the argument is made that, notwithstanding this fact, the tariff should remain as it is. It would be a very short-sighted policy for the people of the United States to permit the lemon industry in this country to be destroyed in order that they may buy lemons at a few cents per dozen cheaper for the time being, because such a policy would inevitably result in their paying much higher prices when the competition of the product shall have ceased and the importer obtained a monopoly in our markets.



In a few years the production of lemons in California can be greatly increased by budding over orange trees, and within seven or eight years new orchards planted immediately after the passage of this bill would commence bearing, and within ten to twelve years we would be in a position to supply practically the entire market as we do at the present time with oranges.

Another matter that I want to emphasize is that, under present market conditions in New York, the California grower can not compete with the foreign lemons. The market during the last few days has averaged \$1.50 a box. I have here the last auction, showing Palermo lemons, by steamship *Irena*, sold at auction by Brown & Seccomb, Thursday, May 27, 1909, as follows:

One hundred and nine boxes, from \$2.25 to \$2.15.  
Twenty boxes, at \$2.05.  
Twenty-one boxes, at \$2.

Then follow prices running down to 21 boxes, at \$1.20; 22 boxes, at 75 cents; 98 boxes, at \$1; 59 boxes, at \$1.05; 50 boxes, at \$1.15; and 21 boxes, at \$1.50. During the last month the lemon market has not averaged \$1.70 a box. Yet it costs the California producer \$2.32 to land lemons in the New York market.

The effect of this is that we have to-day, as I have stated, over 2,000 carloads of lemons in California that can not be shipped, many of them going to decay. The result of such a market means the reducing of the acreage in California, so that in a short time we will be in a position to supply only the market west of the Missouri River; and the result will be that the foreign fruit grower will control the New York market, and thus advance the price for the entire country. Without the competition of the California grower in that market, as I have shown by the testimony of Mr. Saitta before the Committee on Ways and Means, the price of lemons will increase.

Mr. President, there has been a report made by Mr. Powell that has been commented upon, giving the example of a lemon grove where the profit was, as shown by the report, excessive. There can be no question about the truth of that report and that there is a lemon grove in southern California which made the returns shown in that statement. But it is not an average return. If the whole report of Mr. Powell be read, it will be shown that instead of an acre producing a carload of lemons, the average production is about half a carload; and in addition to that, the price stated in that report probably was the price at that time of the year.

But the question that we must meet here is not the price of lemons at this time of the year, but the price of lemons during the months of June, July, and August. The lemon market, according to the prices I have quoted, now averages \$1.70, but during the coming month it may go to \$8 or \$9 a box. The price of \$8 or \$9 a box is made possible by reason of the fact that California can not then supply sufficient lemons to meet the demand and the foreigner makes the market just what he pleases.

The amendment which you are asked to agree to in this paragraph of the bill will, if adopted, be equivalent to an increase of about 36 cents per box in the duty on lemons, which amounts to approximately 1 cent a dozen on the small sizes, and from a cent and a sixth to a cent and a third on the standard sizes. But it does not follow that the consumer will have to pay even this slight increase in price, for under this additional protection the California production will be greatly increased and the law of supply and demand will cause the price to decrease, as has been the case with the present duty on oranges. The orange industry has prospered under the 1-cent per pound duty, and yet oranges are now furnished to the consumers at a lower average price than they were under the low rates of the Wilson bill. Is it unreasonable to expect that similar conditions may prevail under an increase in the duty on lemons?

There are comparatively very few articles in this tariff list produced by the farmer, the very existence of which depends upon protection. In fact, the farmer perhaps receives less benefit from a protective tariff than any other class of our citizens. The manufacturing industries of the country have a very large number of articles in this bill which will be adequately protected against foreign competition, and in the past great industries have been built up solely because of the encouragement given them by the protective policy. But there is not an article in the entire tariff list where the benefits of a protective tariff are as well illustrated as in the case of the citrus-fruit industry in the United States. The only trouble is, we have not gone far enough. We have remedied the unsatisfactory condition that has heretofore existed with respect to the orange industry, but the conditions affecting oranges and lemons, as has been pointed out, are different, and we must give further

protection to the lemon growers if we are to save this industry from destruction and put it on a profitable basis, as we have done with the orange industry.

Mr. ROOT. Mr. President, I fully agree with the Senator from California that it would be very unfortunate to eliminate the California lemon grower from the New York market or from any market in the United States. The question is, Is it necessary to increase the duty upon imported lemons in order to prevent the California grower from being eliminated from the market?

The fact is, Mr. President, that our tariff laws have dealt already very kindly by the citrus-fruit growers of California. Their representative began his testimony before the Ways and Means Committee by expressing a grateful appreciation for what the law has already done; and he was right, for a great and successful business has been built up under the tariff as it now stands. The report of Mr. Powell, the representative of the Department of Agriculture in charge of the fruit division of that department, to which the Senator from California has referred this morning, begins with the following statement:

The American lemon industry has become permanently established on a firm foundation within the last few years, the seasons since 1904 having proved unusually profitable.

That, Mr. President, is the evidence of an unprejudiced, impartial government investigator upon the effect of the tariff as it now stands.

It commenced—

He says—

to assume a commercial aspect twenty-five years ago, but for a score of years it was a question whether it would become established permanently or whether the American supply of lemons would continue to be derived, as in the past, from foreign sources.

He says further:

As a result of the recent progress in the industry, the demand for the best brands of California lemons is greater than the present supply. The area of groves is extending considerably, though more slowly than the growers desire, as the nurserymen have not been able to supply the demand for trees during the last two or three years.

That is to say, the limit to the growth of this profitable and increasing industry is not the market, but is the possibility of securing trees for the extension of the lemon groves. He further says that he has inquired into the cost of maintaining a lemon grove, taking a good specimen grove, the one to which the Senator from California has referred, and he finds that the cost per acre for a year for the cultivation, picking, and all the expenses incident to putting the lemon product upon the cars was \$370.86; and he finds that not the returns from this acre, but the average returns per car f. o. b. in California during the last few years, varies as follows: In 1903-4, probably somewhere near \$400; in 1904-5, between \$600 and \$675; 1905-6, between \$800 and \$900; 1906-7, between \$850 and \$950.

That is to say, in this industry to-day, this profitable and growing industry, during the past year the lemon growers of California have made on an average, with an expenditure of \$378 per acre, a profit of \$530 per acre, and that, Mr. President, with the present tariff. I would not eliminate the lemon growing of California or any other American industry, but it is a little too much for them to come and ask an increase of duty when they are already making 150 per cent upon their investment. That is more than people ought to make.

The figures of productions and importations correspond with these statements of the representative of the Department of Agriculture. Will the Senate listen to the statistics of this industry that comes crying for help to avoid being eliminated? The importations of lemons from abroad during the period of the present duty have been almost stationary. In 1899 and 1900 the importations were 1,907,119 boxes; the next year, 1901, 1,768,000 boxes; the next year, 1902, 1,953,000 boxes; the next year, 1903, 1,809,000; the next year 2,046,000 boxes; the next year 1,655,000 boxes; the next year, 1,651,000 boxes; the next year, 1,879,000 boxes; and the next year 2,200,000 boxes. You will perceive that during the period since the enactment of the Dingley tariff the importations of lemons have fluctuated up and down in the neighborhood of 2,000,000 boxes.

Now, look at the domestic production, the production of this dying industry which comes appealing for help here. In 1897-98 the production was 363,792 boxes; in 1898-99, 281,736 boxes; in 1900, 451,464 boxes; in 1901, 912,288 boxes; in 1902, 878,592 boxes; in 1903, 826,488 boxes; in 1904, 867,984 boxes; in 1905, 1,333,488 boxes; in 1906, 1,182,168 boxes; in 1907, 1,094,184 boxes; and the next year a little over 1,300,000 boxes. That is to say, since the enactment of the present tariff the domestic production and shipment into the markets of the United States of these lemons has more than trebled, while the importations have remained stationary. The entire increase of consumption by the American people during its enormous development of

population and of purchasing power during the last decade has been absorbed by this prosperous and growing industry, making money beyond the dreams of the ordinary American farmer or merchant or manufacturer, absorbing all the increase of the market.

And upon what basis of duty? Here is the way the duties on lemons have run. Under the McKinley Act, 25 cents a box; under the Wilson Act, 30 cents a box; under the Dingley Act, 1 cent a pound, which is the equivalent of 80 cents a box, in round numbers; under the Payne bill as reported to the House and as it passed the House \$1 a box; and under the Finance Committee report, which we now have before us, \$1.20 a box; that is to say, we are proposing now to add 50 per cent to the duties under which this phenomenal prosperity has been obtained.

Mr. FLINT. Will the Senator permit me to ask him a question?

Mr. ROOT. Certainly.

Mr. FLINT. I will state for the Senator's information that the duty on the average box of imported lemons is 72 cents. So his calculation is entirely wrong.

I ask the Senator if he will explain to the Senate why lemons bring \$9 a box in the months of June, July, and August in the city of New York? Can the Senator explain that?

Mr. ROOT. I need not explain it to the Senate, because it has nothing whatever to do with the question I am discussing.

Mr. FLINT. I think that is what interests the American people, why lemons should bring that price.

Mr. ROOT. The American people are not going to get away from the fluctuation in the market for a perishable fruit, which when the fruit is in excess of the demand requires that it be sold on the instant for whatever it will bring. The American people are not going to get away from the fluctuation of the market for a perishable fruit by putting an unnecessary increase of duty as a barrier to the importation of foreign fruit.

Mr. President, I agree with the Senator from California that we should not exile the California fruit grower from our market. Far from it. I have shown that under the present duty he is in the market and making money in the market, and that he will stay and will increase his participation in the market. But, Mr. President, if you increase this duty you exile the foreign producer from our market and put him at the mercy of the California fruit grower—

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. In a moment. Over 60 per cent of whose product, the Senator has already told us, is marketed by one concern, the California Fruit Growers' Association.

Mr. FLINT. That is an incorporated concern of farmers, is it not?

Mr. ROOT. It is not an incorporation of angels, and if it gets control of our markets, if you put up a barrier so that it will be impossible to introduce the restraining effect of foreign competition, the white-winged farmers of the California Fruit Growers' Association may yield to the temptation to get the highest price they can for their product.

Mr. FLINT. I ask the Senator whether the additional cost to the people of this country would not be but 36 cents a box on these lemons; and I submit to the Senate whether the American people would not rather trust a corporation organized by the farmers of this country than an importers' trust, organized in the city of New York, controlling and limiting the imports of lemons into this country, so that the price goes to \$9 in summer time? It is only by increasing the California output that we can make it impossible for the New York combination to charge the American people \$9 a box.

Mr. ROOT. Mr. President, I do not want the American people to trust to either. I want the American people, whose representatives we are here, for whose benefit we are undertaking to make laws, to protect themselves. I wish to so regulate this matter that we shall have a market for our domestic producers, but with the duty so fixed that if they undertake to charge an unconscionable price for their product they will then meet foreign competition. That is the situation as it exists with the present tariff.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. Certainly.

Mr. BORAH. I agree with the Senator from New York perfectly in that proposition; but I should like to know how you are going to do it in this bill.

Mr. ROOT. I will tell the Senator from Idaho how you will do it on lemons. The market situation is, of course, affected

by the freight situation. The Senator from California has stated, with his customary fairness, some of the particulars of the freight situation as it affects lemons. Let me restate what he has stated, and with some additional facts, very briefly.

The transcontinental railroads give to the fruit growers of California a flat \$1 rate upon lemons to the Atlantic seaboard; that is to say, throughout the length of the country from West to East \$1 per hundred pounds is the freight charge for lemons. The figures given by the California raisers themselves for the cost of raising and putting on cars a box of lemons are \$1.23 a box.

Mr. FLINT. One dollar and forty-eight cents.

Mr. ROOT. Well, \$1.48, adding the freight rate of \$1 per hundred pounds.

Mr. FLINT. Eighty-four cents a box.

Mr. ROOT. You get, according to their own figures, California lemons laid down in the city of New York at \$2.32 a box. Those are the figures given by the Senator Saturday?

Mr. FLINT. Yes, sir.

Mr. ROOT. Now, the sworn testimony before the Ways and Means Committee by a witness who had been in this business in the city of New York for a generation is that there never had been a box of foreign lemons laid down in the city of New York in twenty-five years at a less cost than \$2.42 a box.

Mr. FLINT. Foreign lemons?

Mr. ROOT. Foreign lemons.

Mr. FLINT. I will call attention—

Mr. ROOT. Will the Senator excuse me? I shall be through in a moment.

The foreign lemons are, the Senator from California will agree with me, inferior to the California lemons. Now, you have the lowest cost at which a box of foreign lemons has for the past twenty-five years been laid down in the city of New York, under the present duty, at \$2.42; and the cost which the lemon growers of California declare themselves they can lay lemons down for is \$2.32; that is to say, taking the lowest figures for the foreign lemons and their own figures for California lemons, those California lemons meet the foreign lemons at the water's edge on the Atlantic with an advantage of 10 cents a box. Then, when you go into the great markets of America, the moment you start to carry your foreign lemons into the towns and cities of America, you begin to add the freight from the seaboard to the interior.

Mr. President, the sworn testimony before the Committee on Ways and Means is that the average cost of foreign lemons in the city of New York during the year 1907 was \$3.26 a box, against which the Californian could put his lemons there at \$2.32 a box; and that the average cost of foreign lemons in the city of New York, laid down on the dock in New York, during the year 1908 was \$2.86 a box, against which the Californian could put his lemons there at \$2.32 a box.

Mr. FLINT. Mr. President—

Mr. ROOT. One moment, if you please.

There are here produced the invoices and the affidavits of purchasers of lemons within the present month, costing, laid down on the dock in New York, \$2.59, against which the Californian puts his lemons there at \$2.32—

Mr. FLINT. Mr. President—

Mr. ROOT (continuing). And still, with that advantage at the extreme eastern edge of the country, the lemon grower of California asks that a 50 per cent increase in duty be made.

Mr. FLINT. Does the Senator from New York believe that statement?

Mr. ROOT. I do.

Mr. FLINT. The Senator believes that the lemons from foreign countries cost—how much did he say?

Mr. ROOT. The minimum amount is \$2.42 per box.

Mr. FLINT. And in this market they are now selling their lemons for \$1.15 and \$1.80 a box.

Mr. ROOT. The foreign lemons are all sold at public auction upon their arrival. They come in different grades; I do not know the grades to which the Senator refers. The importers have to take their chances on the price going up or going down, the demand being greater than the supply, or the supply being greater than the demand, as their lemons come in. They put them up at auction and sell them for what they will bring. They are sometimes as high, as the Senator has just stated, as \$9 a box, and sometimes as low as the Senator has just stated; but the evidence is uncontradicted that the lowest price for which lemons have ever been introduced into the port of New York during the existence of this Dingley rate was \$2.42 a box. It stands to reason that unless, putting the high price at auction and the low price at auction together, the average return is more than \$2.42 a box, the importers have got to go out of business and leave the market solely to the California fruit grower.



Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Indiana?

Mr. ROOT. Certainly.

Mr. BEVERIDGE. I want merely to ask a question. If it is true, as we must take it to be, that the California lemons can be put into the New York market so much cheaper than the imported lemons, how can the imported lemons be sold at all? The figures the Senator has quoted would give a monopoly to the California lemons, would it not?

Mr. ROOT. Mr. President, I hope my answer will be satisfactory to the Senator from Indiana. I have just said the foreign lemons are sold at auction, while the California lemons are sold, as a rule, at the auction price as it is quoted plus whatever difference there may be for the superior quality of the California lemons.

Mr. FLINT. Both are sold at auction.

Mr. ROOT. Well, to some extent they are; but in the main the California lemons, I understand, are sold at private sale.

Mr. FLINT. The Senator is incorrect. Nearly all the California lemons sold in New York by California fruit growers are sold at public auction.

Mr. ROOT. Doubtless, in New York.

Mr. FLINT. Sixty per cent of the California fruit is sold at public auction.

Mr. ROOT. Very well. Take that 60 per cent, and the Senator from Indiana will perceive that the California fruit, being a superior fruit, will always bring certainly as much as the imported fruit when it is sold at auction. Therefore the Californian now makes as an additional profit, as a profit in excess of the profit the importer makes, the difference between his cost of production and the cost to the importer of laying the lemons down on the dock in New York.

Mr. BEVERIDGE. So that, according to the Senator from New York, the explanation as to why the foreign lemons have any market at all here, in view of the great difference in the price, is purely a question of superiority of the quality of the California lemon. That must be so.

Mr. ROOT. No.

Mr. BEVERIDGE. Yes. Of course the Senator will see that if the initial price at which the foreign lemon gets into the market here is so much greater than that of the California lemon, that very fact would give the California lemon a monopoly of the market, unless there was some reason, and the Senator gives us that reason in the superior quality of the California lemon.

Mr. ROOT. The real reason is that the California product is not sufficient to supply the market. The California product is less than one-half what the market demands, and, therefore, the Californians can sell their lemons. There must be lemons imported, and if they are imported, they have got to be sold on an average above the cost of importation. Therefore the Californian can get for his product a greater price than is based upon his cost of production. His price is regulated by the price of the imported lemon, with an addition for its superior quality.

Mr. BEVERIDGE. If the Senator will permit me, that being true, the California seller could, if he wanted to, raise his price to the level of the foreign price. Why does he not do it?

Mr. ROOT. He does.

Mr. BEVERIDGE. No; the Senator said a moment ago that the price was \$2.38 for the California lemon and \$2.42 for the imported lemon.

Mr. ROOT. No; that is the cost, not the price to the purchaser.

Mr. BEVERIDGE. Not the selling price?

Mr. ROOT. But to the seller it is \$2.42. That was the minimum price at which the importer could lay down the lemons on the dock at New York; while \$2.32 was the price at which the California fruit grower could lay down lemons at the railway station in New York.

Mr. BEVERIDGE. So that the net result of this is, that, by reason of the superior quality of the California lemon and also by reason of its insufficient quantity and the state of the market, he can, and the Senator says he does, arbitrarily raise his price to the level of the foreign price.

Mr. ROOT. Yes; he does it just as the Porto Rican sugar planter can get a price equal to that for his sugar upon sugar coming from a duty-paying country.

Mr. PAGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Vermont?

Mr. ROOT. Certainly.

Mr. PAGE. I should like to ask the Senator from New York if the advantage of the American producer is not sufficiently great so that in a few years he ought to control the entire market and prevent any importation?

Mr. ROOT. I have no doubt that within a moderate period, as his business is now proceeding, the California fruit grower will control the market, and under the present rate there is every indication of it. The business has grown just as rapidly as the trees have grown. The only thing that prevents the Californian to-day from controlling the market is that he can not furnish the lemons.

Mr. PAGE. Have they sufficient land adapted to the raising of lemons, so that in a few years, if encouraged, they could make it practicable to raise all the lemons that we require?

Mr. ROOT. The Senator from California [Mr. FLINT] informs us that they have. I do not know beyond that.

Mr. PAGE. Does the Senator from New York see any objection to that condition existing, if it could exist?

Mr. ROOT. The Senator from New York sees no objection whatever to that; but the Senator from New York does see objection to putting a duty on now, an increased duty, an increase of 50 per cent on the present duty, which will enable the California lemon raiser to put up his price pending the operation beyond the present price, which yields him this rich profit and creates for his business this present prosperity. What he has now under the Dingley law has assured, and is assuring, the growth of his industry with liberal profits; so that, if the land holds out, he will control our market absolutely in time. But the additional duty will merely be to take away from him the limitation upon the price that he can charge, the limitation to reasonable profits, and enable him to make unreasonable profits.

Mr. PAGE. It seems to me, in answer to the Senator from New York, that if there is any commodity that we have the land to naturally produce and we have the labor to produce it and can produce it at a less cost than it can be produced elsewhere, for one, I should like to see that condition exist. I should like to see the constituents of our friends from Florida and from California raising every lemon that is used in this country, if it is possible for them to do so. Yet I am, like the Senator from New York, not inclined to give them more than they are entitled to; but it seems to me that if they were getting more, long since the production would have equaled the consumption here—that is to say, if the profit is as much as the Senator from New York has indicated.

Mr. ROOT. Mr. President, it is not a thing that we are obliged to speculate upon, because we have positive evidence of what has been the limit upon the production—that is to say, it has been the growth of trees. You do not take lemon groves down from the shelf; you plant trees, and you have got to get trees to plant. You bring up your groves to a bearing point. The growth of the industry has been very rapid under the circumstances. It has not yet come to a point where the Californians can supply one-half the product for the United States; but they are rapidly approaching that point, and they are approaching it with a liberal profit under the protection of the existing Dingley rates. I see no justification whatever in giving them an additional rate, which will enable them to put up their price still higher, over and above the present large and liberal profits which they are making, and at the same time cut off the foreign importation, so as to produce a scarcity here and put up the prices still higher. It seems to me that it tends to produce an artificial and undesirable condition in the lemon trade, and that it is wholly without justification in the rules which we are applying to the tariff law.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. ROOT. I do.

Mr. BORAH. I want to ask the Senator from New York how high have the importers sent lemons in price under the Dingley law at any time?

Mr. ROOT. I can not tell the Senator. I have not followed that. Of course, under the rule which I have stated two or three times these prices fluctuate up and down. They are not prevented from fluctuating up or down by the fact that the California fruit growers are in the market, nor will they be prevented from it by the fact that the foreign fruit growers are excluded from the market.

Mr. BORAH. I understand that the price of lemons has gone up as high as \$9 a box at times.

Mr. ROOT. Very likely.

Mr. BORAH. I am asking these questions for the purpose of arriving at some conclusion as to how the consumer can be protected in any event.

Mr. FLINT. I can answer that for the Senator.

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. Certainly.

Mr. FLINT. If Californians were placed in a position by a protective tariff that they could compete in the New York market, then the California lemon would come in direct competition with the foreign fruit in the New York market and the price of lemons would go down to a reasonable figure. Three dollars a box is a fair price for lemons in this country, and when you receive \$9 a box for lemons, it simply means that the Californian has not sufficient lemons to supply the market, and a combination of New York fruit importers puts the price up to \$9.

Mr. BORAH. Mr. President, do I understand from the Senator from California that the duty in the Dingley law has not been sufficient to encourage the planting of lemon groves, so that Californians have not planted them by reason of the insufficiency of the duty?

Mr. FLINT. That is the fact. The duty is not sufficient to give protection to the California fruit grower under the existing law. As a matter of fact, the lemon growers of California have not made 4 per cent on their investment since they have been in the lemon business.

Mr. JONES. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Washington?

Mr. ROOT. Certainly.

Mr. JONES. Will the Senator from California state what the California lemon raisers get when lemons are selling in New York for \$9 a box?

Mr. FLINT. They get the market price.

Mr. JONES. What is that, compared with \$9?

Mr. FLINT. If it is \$9 in New York, they get that.

Mr. JONES. They get that?

Mr. FLINT. Yes, sir.

Mr. ROOT. Mr. President, may I contribute another answer to the question of the Senator from Idaho, which was, Whether the existing duty was sufficient to encourage the planting of lemon groves in California? That answer is government statistics, which show that when the Dingley Act was passed the production of the lemon growers in California was 30,558,528 boxes; and that in the last year—

Mr. FLINT. The Senator has the figures wrong; it is not 30,000,000 boxes.

Mr. PERKINS. The Senator is certainly mistaken. He must refer to oranges.

Mr. ROOT. I said "boxes" instead of "pounds."

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Michigan?

Mr. ROOT. Certainly.

Mr. SMITH of Michigan. Will the Senator read over again the first figures he gave?

Mr. ROOT. That in the year when the Dingley Act was passed the production of lemons in California was 30,558,528 pounds, while last year the production was 1,585,000 boxes, estimated at 84 pounds each, approximately four times the production at the time of the passage of the Dingley Act.

Now, Mr. President, with reference to the question that has been asked as to the protection of the consumer against the \$9 price, I have said that the price of perishable fruit which is sold at auction is bound to fluctuate according to the demand and supply.

Mr. FLINT. And that is limited by the amount of importations by the New York importers, is it not?

Mr. ROOT. No; it is limited by the amount of lemons that come both from abroad and from California.

Mr. FLINT. But we only supply 15 per cent of the New York market; 85 per cent is supplied by the importers.

Mr. ROOT. The Senator's State is supplying all it can raise, and it will continue to supply all it can raise.

The question was asked by the Senator from Idaho [Mr. BORAH] how we are protecting the consumer against having to pay a \$9 price. I will only say that I never heard of protecting a consumer by reducing the number of competitive vendors; and the proposal of this duty is to substitute for a law under which foreign importations and domestic production are going side by side, with the advantage to the domestic production, the exclusion of the foreign product.

Mr. PERKINS. Mr. President, it is unfortunate that the distinguished Senator from New York [Mr. Root] did not visit that portion of California which a few years ago was roamed over by wild Spanish cattle and sheep that he might now see the progress of the people from New York and other States who went there, and have reclaimed that land from desolation and sandy deserts, and made it to-day bloom and blossom like the fig tree. If he had done so he certainly would have been

willing to do for this California industry what he has been urging heretofore should be done in the case of New York's industries, and that is, that the rate of duty should be such as to equalize the difference between the labor cost in foreign countries and in our own country, and also the cost of transportation.

In his very able speech on the citrus-fruit industry in California, the Senator from New York has not referred to the ad valorem duty on lemons and citrus fruit. On lemons the ad valorem duty is 37½ per cent. This bill simply proposes to increase it to 54 per cent ad valorem, which is the actual difference in the cost of labor in this and foreign countries and transportation to New York or to ports on the Atlantic seacoast.

The Senator had no hesitancy in advocating a rate representing the difference in cost of production between this country and Canada in respect to malt, barley, hops, and other products that come in competition with New York's industries; but he has not referred at all to the difference in wages in producing citrus fruit in foreign countries as compared with this country.

The Senator also, with his quotations as to the profits derived from the citrus fruits, has included oranges. The orange industry, Mr. President, under the duty of 1 cent a pound, has prospered and done well. Twelve years ago, when the Dingley bill came here from the other House, the duty was fixed at 75 cents a hundred. The Senate increased it from that to a cent a pound, and the result has been a marvelous growth and development of the orange industry. The duty on lemons has not been sufficient, but on oranges it has been sufficient, and the result has been that oranges are selling to-day in the United States cheaper than they ever did before. A cent a pound duty has enabled the people of California to accomplish wonders in the case of oranges. I want to say to the Senator from New York that if he would visit California, he would find instead of 1 orange grove, 10,000 cultivated citrus groves. The isolated incidents to which he has referred simply relate to two or three fancy orchards which Mr. Powell wrote up and which have been the laughing stock of the fruit growers of California and elsewhere.

California is not the only State capable of producing lemons to supply the United States. Texas, Arizona, Alabama, Florida, and perhaps other Southern States, are capable of producing lemons.

California needs and Congress should retain the duty of 1½ cents per pound on imported lemons. It has been found that a duty of 1 cent has not fully compensated for the increase in the cost of labor employed in California over the cost of Italian labor, which is used in the growth and shipment of practically all the lemons imported. Labor which costs in Italy 40 cents a day costs from \$1.75 to \$2 in California. Packing in Italy costs not over 50 cents, while in California it costs from \$1.75 to \$2. The fact that the duty of 1 cent per pound is not enough to compensate this difference in cost is made evident from the fact that Sicilian importations are constantly increasing, while California lemon growers find it harder and harder each year to produce with profit.

I want to say, Mr. President, in passing, that only a few months since, when a great calamity fell upon Sicily, requisition was made upon the lemon growers of California, and they donated lemons, to be sold at auction, sufficient to realize \$15,000; which was sent to the people of Messina and other cities of Sicily, which had been so severely stricken by the great earthquake. This shows the public spirit and enterprise of the lemon growers of California; but when it comes down to trade, we believe that we should have our own markets for our own industries.

The distinguished Senator from Vermont [Mr. PAGE] said there was no reason in the world why we should not charge foreigners who bring their products into this country and compete with us a fair license for doing so. A man can not go into Vermont or into New York and peddle oranges or any other product without paying a license therefor. Why should our people not be protected in that respect? We ask nothing, as I have said, except a duty sufficient to make up the difference between the cost of labor in producing lemons in Sicily and southern Italy and the cost in California, Arizona, New Mexico, and other portions of our country.

Italian imports have increased from a value of \$2,521,000 in 1898 to \$4,254,000 in 1907, while the duty collected has increased only \$203,000. The value of imported lemons per pound has increased during the same period from 1.9 cents to 2.8 cents, while the ad valorem rate of duty has fallen from 52 per cent to 36 per cent.



As I said the other day, Mr. President, my Democratic friends, I am sure, will stand by us on this proposition as a revenue measure. The duty under the Dingley Act is 36 per cent ad valorem, under which we collected in 1908, \$1,539,584. If the Senate committee amendment shall be agreed to—and I am sure it will be, for I have confidence in the sense of justice of Senators—it will increase that revenue, which we so much need at this time, \$769,000, making it \$2,309,000. As a revenue proposition, Mr. President, there is no question but that the amendment is desirable; and, in addition, if it shall be agreed to, this industry can be increased until we can supply the country with lemons produced in California, Arizona, New Mexico, and in Texas and other Southern States; but in order to do so we must have adequate protection.

The Italian lemons are constantly encroaching upon our market without bringing about a reduction of price, which would be the case if California lemons were in a position to compete. Another significant set of figures is supplied by the record of lemon importations from Cuba. From this island importations have increased from 410 pounds in 1904 to 34,519 pounds in 1907, while the ad valorem rate has diminished from 54 per cent to 22 per cent. Cuba has, as is known, the advantage of 20 per cent off the regular duty, and is evidently making use of this advantage, which is bound to become serious for our domestic producers in a few years. Cuba has just begun to enter the field as a producer of citrus fruit for export. The island is peculiarly fitted for its production, through soil and climate and low cost of labor. Special Agent A. B. Butman, writing in January, 1908, says:

The possibilities of cultivation of citrus fruits in Cuba are great. Oranges, grape fruit, lemons, and limes yield abundantly. The estimated cost of establishing a 10-acre orange grove on land valued at \$50 per acre is as follows: Land, \$500; clearing, \$250; planting, \$150; 900 trees, \$225; care for five years, \$1,500; total, \$2,625. Lime and lemon trees grow wild and bear abundantly.

Until ten years ago there was no attempt in Cuba to systematically cultivate orange and lemon trees. Subsequent to the Spanish war the possibilities in this direction were seen, and groves were planted which are now beginning to come into bearing, and from now on Cuban fruit will offer serious and increasing competition. When it is considered that in addition to cheaper labor the cost of an orange or lemon orchard when old enough to bear is \$262, against \$1,000 in California, as ascertained by the Interstate Commerce Commission in the citrus rate case, it will be seen that California growers need substantial protection against Cuba as well as against Sicily. And these producing regions have another advantage, which Sicily has long taken advantage of, in the utilization of those portions of the lemon crop which are not marketable. About 15 per cent of every crop can not be sold in the markets on account

of under or over size, or for some other reason. The Sicilian uses this waste product to manufacture citrate of lime, which enters the United States free of duty. The importation of this salt has increased enormously, from 443,000 pounds in 1894, valued at \$52,137, to 3,872,000 pounds in 1907, valued at \$726,626. As it enters free, California can not compete with the Sicilian product, which has the field to itself. It might at first be thought that that other very valuable product of the waste of lemon orchards—citric acid—which, when imported, bears a duty of 7 cents per pound, might be made from the waste of California orchards. Such would undoubtedly be the case were it not for the fact that the free citrate of lime, after importation, is put through an inexpensive chemical process and produces the more valuable citric acid, which is secured so cheaply that California producers could not compete with it. Thus, the California lemon grower is not only unable to meet the lower cost of labor in Sicily, but is prevented from utilizing even his waste material through the free entry of the product of the waste of the Sicilian orchards. And, in addition to this, he sees looming up the certainty of very vigorous competition from Cuban lemons, which are favored in the domestic markets through the treaty provision reducing by 20 per cent the tariff on imports from Cuba. The California lemon grower, therefore, is fully justified in demanding at least 1½ cents per pound, which will give him a living chance, and should have granted to him the privilege of utilizing the waste of his orchard, which would be afforded by imposing a duty on citrate of lime, now on the free list. Were a duty imposed on this salt, there would at once be erected in California 5 or 6 large manufactories of citric acid and citrate of lime. To Californians such duties seem not only reasonable, but right.

So I believe, Mr. President, that the argument of the Senator from New York, while eloquent, is specious. I repeat, we only ask from him, we only ask from the Senate, a duty sufficient to cover the difference in the wage cost in Sicily and other foreign countries and the cost of transporting the lemons in foreign vessels to New York. If the increased rate of duty is granted, we will show to the country the same results as those which have followed in the case of oranges since the imposition of the duty under the Dingley Act, which have become cheaper than ever before to the people. There is no other side to this proposition, as my colleague has so ably shown, and therefore I believe that this amendment should be adopted without dissent in the interest of the public good.

Mr. President, I ask leave to have inserted as a part of my remarks a table from the hearings before the House Ways and Means Committee.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The table referred to is as follows:

*Citrus industry in California for eleven years—Average production, selling price, cost of production, and profit of an average grove per acre.*

Variety.	Acres.	Boxes produced.	Total boxes.	Average price per box f. o. b.	Gross average per acre.	Producing cost per acre without interest.	Selling cost per acre.	Profit per acre.
1898—Oranges.....	30,193	5,371,000	5,734,800	\$1.25	\$191.00	\$172.00	\$9.00	\$10.00
Lemons.....	6,518	363,800						
1899—Oranges.....	34,966	3,628,000	3,909,800	1.72	154.00	101.00	5.00	48.00
Lemons.....	8,672	281,800						
1900—Oranges.....	39,146	6,288,000	6,734,500	1.70	228.00	151.00	8.00	69.00
Lemons.....	10,827	451,500						
1901—Oranges.....	43,162	8,459,500	9,371,800	1.22	203.00	190.00	10.00	3.00
Lemons.....	12,979	912,300						
1902—Oranges.....	47,245	7,499,900	8,378,500	1.68	225.00	153.00	8.00	64.00
Lemons.....	15,119	878,600						
1903—Oranges.....	48,066	8,438,800	9,265,300	1.29	191.00	168.00	9.00	14.00
Lemons.....	14,412	826,500						
1904—Oranges.....	52,251	10,306,200	11,174,200	1.09	198.00	205.00	11.00	* 18.00
Lemons.....	9,223	868,000						
1905—Oranges.....	59,828	10,538,200	11,871,700	1.87	231.00	193.00	10.00	28.00
Lemons.....	10,399	1,333,500						
1906—Oranges.....	67,405	9,170,700	10,352,900	2.11	276.00	149.00	8.00	119.00
Lemons.....	11,572	1,182,200						
1907—Oranges.....	85,738	9,908,000	11,005,300	2.00	221.00	126.00	7.00	88.00
Lemons.....	13,478	1,097,300						
1908—Oranges.....	104,073	10,486,000	12,071,000	1.75	170.00	114.00	6.00	50.00
Lemons.....	16,718	1,585,000						
Total oranges.....		90,089,300	99,869,800	1.56	208.00	156.54	8.27	43.19
Total lemons.....		9,780,500						
Average.....								

\* Loss.

Total profit on investment, \$43.19 per acre. Average cost of 1 acre, \$1,000. Average interest on amount, 4.3 per cent.

Mr. SMITH of Michigan. Mr. President, the Senator from New York [Mr. Root], in closing his remarks a few moments ago, said, if I understood him correctly, that he never knew the interest of the consumer to be especially benefited by limiting the number of competitive vendors. I think I do not misquote him. Now, I want to give him a concrete case in point. When Congress put a duty upon tin plate we were not producing scarcely any in this country. We have now had the duty on but a very few years. In 1899 we produced but 732,000,000 pounds of tin plate; in 1907 we produced 1,293,000,000 pounds. In 1899 we exported 205,000 pounds of tin plate. We put a high duty on foreign tin plate, thereby limiting "the competitive vendors," in the language of the Senator from New York, and we exported last year 19,000,000 pounds of tin plate. If it is fair to draw this deduction favorable to protection, it is fair to give California the benefit of it. If California has an area able to produce all the lemons that our country needs, why should we not do it? If it is in the interest of any great section of our country to limit "competitive vendors" by our tariff act, why should it not apply with equal force in favor of California?

I have been through the State of California thoroughly year after year, and I have been amazed and delighted to observe the marvelous development in the variety of productions which that State has steadily undergone; and if the only argument that can be advanced by those opposed to this schedule, so favorable to California, is that in limiting "the competitive vendors" we are thereby enhancing the cost of the domestic products to the consumer, then I say the answer lies in the history of almost every article protected from ruinous competition by foreigners.

I heard it said over and over again that we could not produce tin plate in America. Mr. McKinley was denounced as a dreamer when he undertook to do it. The only tin-plate factory in our country at that time was dead in California. By putting on a high duty and temporarily excluding competition from abroad, as would perhaps be the case with the Sicilian lemon, we have been able to produce practically all the tin plate we need in this country at lower prices than ever before; and it is not a good time to say that great stretches of American area, suitable to the production of these fruits, shall not be given the benefit and advantage in our tariff regulations over a foreign state, whose people owe no allegiance to our Government, who can not be drafted in its defense, upon whose property we can not lay a single local burden of taxation, unless, perhaps, this may be so regarded.

For my own part, I am not willing to rest upon the argument that competition with a foreign state is essentially necessary in order to give our people their necessities at a fair price. It is well known that if California did not produce lemons we would be at the mercy of an importer and a foreign state in the price of this necessary product. While it has not been for me to say how much is necessary amply to protect the fruit growers of our own country, yet the remark of the Senator from New York was such that I could not resist the temptation to call his attention to a fact in our history amply illustrating the wisdom of such protection as will tend to develop to its highest state domestic production.

Mr. BURKETT obtained the floor.

Mr. ROOT. Mr. President—

Mr. BURKETT. Perhaps the Senator from New York wants to reply immediately to the Senator from Michigan, and I will yield.

Mr. ROOT. Mr. President, I wish to make one observation regarding what the Senator from Michigan [Mr. SMITH] has said. I thought the Senator from Michigan quoted me correctly in the beginning of his remarks as saying that I never heard of protecting the consumer by excluding a competitive vendor.

Mr. SMITH of Michigan. No; I did not understand the Senator to say that.

Mr. ROOT. That is what I said, and I understood the Senator to quote it correctly; not that you can not get protection from limiting the competitive vendor. The whole system of protection is the limitation of foreign competition—such limitation of foreign competition as to enable the domestic producer to pay the additional cost of production and reap a profit before he comes into competition. But that is quite a different thing from the exclusion of the foreign competitor. The exclusion of the foreign competitor leaves the market at the mercy of the domestic producer, unchecked by competition at any point to which he may put his price; and it is because the present rate of duty does limit the foreign competition at a point which has been shown to insure a large profit and a prosperous business to the domestic producer, and that the proposed rate of duty would pass from limitation to the point of exclusion, that I object to the amendment.

Mr. BURKETT. Mr. President, it seems to me this paragraph on lemons, as reported, should be changed in two particulars: First, not only with reference to the amount, but secondly, as to the wording of it with respect to how the tariff should be computed. The McKinley law provided that it should be computed by the box; the Dingley law and this proposed law provide that it shall be computed by the pound. I will have a little to say as to that, but I want to speak particularly as to the rate.

I think we can all assure the Senators from California that there is not any disposition anywhere to make a rate which will in anywise handicap the fruit-growing industry of California. But, on the other hand, aside from California, the rest of us are all buying lemons. There is not any place in this country except California where they produce lemons. California is on one extreme side of this country. Just how far we ought to go in levying a tariff to meet not only the difference in cost of production in this country and foreign countries, but also to meet the cost of transportation, extreme as it is, between California and New York, and the cost of transportation from abroad, is an entirely different question.

There is one point which, so far as I have heard, has not been discussed, and that is this: Senators should get this point fixed in their minds. California to-day, without any question, has an absolute monopoly of all the markets in this country, according to the testimony of all the witnesses on both sides of this proposition, as far east as Chicago—an absolute monopoly. As a matter of fact it has a practical monopoly as far east as Pittsburg, although occasionally, perhaps, Palermo lemons may sell west of Pittsburg. As a matter of fact, then, California has an absolute monopoly, without any question, to Chicago, a practical monopoly as far east as Pittsburg, and a fighting ground from Pittsburg even into New York Harbor. As the Senator from California has said, they are able to take their lemons clear across this country, pay this enormous freight rate—and it is the longest haul that it is possible to get in this country on products—and there compete and sell 60 per cent of their product in New York City.

Mr. FLINT. How much?

Mr. BURKETT. Sixty per cent, I understood the Senator to say.

Mr. FLINT. Fifteen per cent.

Mr. BURKETT. Fifteen per cent. I misunderstood the Senator.

Mr. FLINT. I want to correct the Senator by stating that the freight rate is the same to Omaha as to New York.

Mr. BURKETT. I will say to the Senator that I was just looking through the evidence given by the representative of the California Fruit Growers' Association. I had supposed that they were the same, but I find they are not quite the same—five or ten or twelve dollars a car higher, according to this testimony given on page 3859, as the Senator will see if he looks it over. But they are practically the same.

I called the attention of the Senator from California on Saturday, when he was speaking, to one phase of the question, and that is this: There is a very lively association of fruit jobbers in the Mississippi Valley, representing Omaha and Kansas City and St. Louis and Lincoln and Sioux City and Council Bluffs and Des Moines, and all those towns through the Mississippi Valley, and they are very much interested in this matter and have given it a good deal of attention. I suggested to the Senator on Saturday that the price on lemons out there is the freight added to the New York price. I wish to state to the Senate that that is true. I was looking this matter up, expecting it to come up sooner, and I got the auction prices of lemons in New York on the 13th of April, and also telegrams from several of these western points as to what lemons were selling at out there. I have here the auction prices. The Senator has a similar one; only it is for a different day. On that day California lemons in New York sold on the average at \$2.45. I then have some telegrams here; for example, the first one is from Duluth, Minn.:

California lemons, \$3 to \$3.15 f. o. b., Duluth.

The next one is from Kansas City:

California lemons selling \$3, delivered carload lots.

The next one is from Sioux City:

Paid \$3.25 per box; five carloads delivered this week.

Now, if the Senator will compare that he will see it is just about the difference of the freight between New York and back to the Mississippi River point. The California lemon is not entirely dependent upon the duty in this bill—1 cent a pound. But to that duty, for all the lemons it sells except the 15 per cent it sells in New York, there has to be added the freight that it would cost to send the Palermo lemon out to that place; and if



it costs 50 or 60 cents a box to send the Palermo lemons from New York City into the Mississippi Valley, the California lemon in the Mississippi Valley has the duty of 1 cent a pound, or 76 cents per box plus the 50 or 60 cents that the Palermo lemons have to pay to get out into that country. So we see out in the Mississippi Valley the California lemon has exorbitant protection at this time—almost 2 cents per pound.

The question I am getting at is what the rate should be. We should use some sort of judgment. In my opinion, we ought not to make a rate so high as to be practically prohibitory. Of course, when we are producing only a small part of the lemons consumed in this country, there could not be any rate said to be absolutely prohibitory of the importation of lemons until we get to a point where we can produce and supply what we need. We ought not to put on too high a rate, because we have to import lemons, and the higher we make the rate the higher the lemons will sell for in New York, and not only in New York, but clear across the continent.

The Senator from California is right. The price in New York is not only for the Palermo lemons, but the California as well, by auction, and the price in Duluth or Minnesota or St. Louis is measured by the price in New York plus the freight on the lemons back to that point.

Mr. PERKINS. Mr. President—

Mr. BURKETT. Let me finish the statement, and then I will yield.

The fruit jobber in Omaha, we will say, wants to buy a carload of lemons. He goes to the agent of the California Fruit Growers' Association. He wants the lemons to be delivered next Monday or Saturday or any other day. He asks what the price of those lemons will be. The agent says, "I can not tell you." The jobber says, "I want to know what I am going to pay." The agent says, "It will be the ruling price on the day of delivery." So on the day those lemons get there, they take the auction price at New York plus the freight rate to the Mississippi Valley, and that is the ruling price on the day of delivery in Omaha or St. Louis or Indianapolis or any other of those western towns.

There is another protection that the California lemons has in addition to the 1 cent a pound which it has in the Dingley Act and in addition to the freight rate which it has for every mile the foreign lemon has to go back into the continent from New York, and that is the advantage by reason of the superiority of the California fruit. California lemons sell for a higher price than the Palermo lemons. I have here, for the same day, the auction sales of all the Palermo lemons that were sold in New York City and the auction sales of all the California lemons sold there on that day. The Palermo lemons averaged \$2 a box in New York City. The California lemons averaged \$2.45 a box in New York City. Those experienced in the trade with whom I have talked personally tell me it will go the year round at about 50 cents a box difference in favor of the California as against the Palermo lemons. So we see that the California lemon not only has the 1 cent a pound, or 76 cents a box, but it has the extra freight rate back into the interior, and it has also the advantage of 50 cents a box on the average for which the California lemons sell for more than Palermo lemons sell for in New York City.

Mr. PERKINS. Mr. President—

Mr. BURKETT. Now I will yield. I beg pardon.

Mr. PERKINS. The Palermo lemon raiser has the advantage of having to pay only 25 cents a box for the transportation of his product 3,000 miles from Sicily to New York, while the California lemon raiser must pay a cent a pound, or 82 cents a box, to Chicago or any other point.

Mr. BURKETT. I will say to the Senator, however, that the Palermo producer also has the disadvantage of losing more lemons in transit than the California lemon grower has, as experience shows, and the difference the Senator mentions is more than made up by this loss. That would lead to another amendment which I have prepared, but which I shall not offer, as I understand the Senator from New York, who has given this subject more study than I have, has an amendment. The amendment provided that it should be estimated by the box rather than by the pound, because experience shows that when lemons have to be dumped out and weighed it is not only injurious to the lemons, but very expensive to the Government, and if the box should be brought in and the officer simply took the count of the number of boxes, as under the old law, the Government would not lose the amount on account of spoiled or decayed lemons, which it does lose now by reason of the damage incurred in transportation.

In my opinion, as I have said, the tariff as it has been is high enough. Under that tariff the California lemon business has prospered, notwithstanding what the Senator from California says; and I want it to prosper. A man who goes out and plants

a lemon grove—it costs him, I think the Senator from California suggested, nearly \$1,000 an acre to get an acre of growing lemons—ought to make money on them. He has to wait some years. But the industry is not languishing in California. If we take the figures here produced by the Senator from New York, we see it has multiplied between four and five times in the last ten years under this law as it is. I have some private letters here, one of which says:

I helped to dig out peach and apricot trees that had just borne a bumper crop and grape vines that were a full stand and a heavy crop and set lemons in their place, because the lemon paid so much better.

I have here a copy of the Pacific Fruit World, which I think ought to be good evidence in a case of this sort, and I want to read one or two paragraphs with reference to this. It says:

Lemons this year have been conspicuously in the limelight for numerous reasons. There has been extensive acreage planted to young trees, and the season's crop promises to be exceptionally heavy.

It shows this year an unusually large acreage planted to lemons in California. Then a little further along in this paper it says:

California lemons are superior to the products of any other country, although the products of Italy are our greatest competitors, because of the difference in transportation and labor cost in favor of foreign lemons.

This paper, published in the interest of the fruit-growing section of California, shows that the lemon industry is not languishing, but that it is thriving and, this year especially, an unusually large acreage of trees has been planted, and that California has no competitor anywhere except the Palermo lemon, and that competition, I have shown by the catalogues of the auction sales in New York City, is not disastrous to it. Therefore it seems to me that there is no occasion for raising this rate.

Mr. ALDRICH. Mr. President, I am very anxious to have a vote taken upon this proposition.

Mr. BURKETT. I am just through, I will say to the Senator from Rhode Island.

Mr. BEVERIDGE. Mr. President, I wish to ask a question before the vote is taken. The Senator from New York [Mr. Root] made a statement which, if true, appears to me to be fatal to the amendment, and that is what I want to hear about from the Senator from California. He said that the California lemon raisers were now selling all they could possibly raise, and that, furthermore, they could not supply the market under even the present tariff. The Senator from Nebraska [Mr. BURKETT] has said that the California raiser has a monopoly clear to Pittsburg.

Mr. FLINT. As I stated Saturday, there is no reason why California can not produce all the lemons consumed in the United States, and far more. There is a reason why we do not produce more lemons, and that is because we can not compete with the foreign grower in the New York market. If, as a matter of fact, this was not a serious proposition to the people of my State; if it did not mean the entire destruction of the lemon business in California, I would not be here appealing for this half cent additional duty. The Senator from New York has read from a statement in a publication by Mr. Powell, picking one grove and giving the figures of lemons for a single year.

You can pick out any crop in this country—cotton from a special acre, an acre of apples, pears, grapes, or any other fruit—and use it as a standard, but I say to the Senate there has not been a time since this industry was started in California when any of the growers have made more than a fair return on their investment, and many of the years they have not made a dollar. The entire return for ten years since the Dingley law went into effect has been a little over 4 per cent per annum, and if it had not been for the fact that the railroads reduced the freight rates lower on lemons than on oranges there would not be sufficient lemon groves in existence in California to more than supply the Pacific coast country.

Mr. President, the Senator from New York says he believes it, and he stated to the Senate that it cost \$2.42 to land lemons into the New York market, and yet he knows that within the last three or four months, if he has made any investigation, there has not been an average price of \$2.42, and he would have the Senate believe the lemon growers of the Mediterranean were shipping lemons to this country and selling them at a loss.

Mr. BRISTOW. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Kansas?

Mr. FLINT. I do.

Mr. BRISTOW. I should like to ask the Senator from California if he has any evidence that the railroads will not advance the rate if the duty is increased so as to make it more profitable to the grower?

Mr. FLINT. I will say to the Senator they will not, in my opinion, for the reason that there has been a hearing before the Interstate Commerce Commission, and the freight on oranges has been reduced to \$1.15 instead of \$1.25. That matter has all been thrashed out before the Interstate Commerce Commission, and there need not be any fear of raising the rate.

Mr. President, the Senator from New York [Mr. Root] says that this means the elimination of a competitor. The elimination of a competitor will be accomplished if the Senator does not place a cent and a half duty on lemons. It will mean that California can not go into the New York market and that a combination of fruit importers in the city of New York will fix the price of lemons in this country. There is an illustration of what can be done under the system the Senator from New York complains about—the elimination of a competitor. The Senator from New York does not seem to be one of those even protectionists, who is willing to give protection in California and New York and other places; but on New York articles he wants protection, and on the imported articles for the importers in the city of New York he wants practically free trade, or the elimination of the California producer. If California producers do not have adequate protection, it will mean that the lemon acreage of California will be greatly reduced; and if it should be reduced 15 per cent, it would result in the elimination of the California producer from the New York market, and the elimination of California from that market will, as I said a minute ago, mean the fixing of the price at just what the New York importers desire by limiting the amount of imports.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from South Carolina?

Mr. FLINT. Certainly.

Mr. TILLMAN. I want to get a little information from the Senator, if he will be kind enough to give it. What are lands in southern California, where the lemons are grown, I believe, worth per acre?

Mr. FLINT. With water stock?

Mr. TILLMAN. Yes.

Mr. FLINT. About \$300.

Mr. TILLMAN. What is the yield per acre?

Mr. FLINT. It costs about \$700, actual cost, to get the crop into bearing.

Mr. TALIAFERRO. An acre.

Mr. FLINT. An acre.

Mr. TILLMAN. It costs \$700, and the land is worth only \$300?

Mr. FLINT. The land and the water stock are worth \$300, and the expense of purchasing trees, taking care of them until they come in, makes an estimated value of \$1,000 an acre. This value was arrived at in a hearing before the Interstate Commerce Commission in the matter of fixing rates, and after a full hearing they determined that that was the value of a lemon or orange orchard in full bearing.

Mr. TILLMAN. What is the yield per acre?

Mr. FLINT. Lemons average about half a carload an acre.

Mr. TILLMAN. How many boxes?

Mr. FLINT. About 200 boxes.

Mr. TILLMAN. Two hundred boxes on a thousand-dollar investment?

Mr. FLINT. Yes.

Mr. TILLMAN. At \$2 a box, it would be \$400 an acre.

Mr. FLINT. Yes, sir; but we would be perfectly satisfied with 50 or 60 cents a box profit.

Mr. TILLMAN. You mean at home?

Mr. FLINT. Yes.

Mr. TILLMAN. If it costs only 84 cents, you can lay them down in New York at \$1.44.

Mr. FLINT. It costs \$2.32, according to the figures I have given, to land a box of lemons in the New York market, and it costs \$1.84 to land the Sicilian lemons there. I stated that the California grower would be glad to contract his fruit for \$3 a box delivered.

Mr. TILLMAN. How much of that profit does the railroad get?

Mr. FLINT. The railroad gets 84 cents a box.

Mr. TILLMAN. The railroad gets only 84 cents. You make 200 boxes per acre, and you get \$2 a box. That is \$400, and the railroad gets only 84 cents. Where does the other go?

Mr. FLINT. I will tell the Senator what makes up the amount of \$2.32 a box.

Mr. TILLMAN. I am just coming by an easy calculation to the \$2 a box.

Mr. FLINT. I will tell the Senator. The cost is \$2.32 a box. The average cost of a box of lemons in California on the cars ready for shipment is \$1.48, which includes all expenses of culti-

vation, water, fertilization, fumigation, picking, handling, packing, material used, and every item entering into the cost excepting interest upon the investment in groves and packing houses.

Mr. TILLMAN. Who does that calculating?

Mr. FLINT. The fruit growers of California.

Mr. TILLMAN. They make all the allowances for all these expenses.

Mr. FLINT. I assume that is so. The amount expended for material is 48 cents. Then the amount expended for labor per box is \$1. The cost of transportation to eastern markets is 1 cent per pound, gross weight, or a total cost per box of 84 cents.

Mr. TILLMAN. Of course the Senator is entirely frank and honest about it. Can the Senator figure out how he claims that these people make only 4 per cent on their money?

Mr. FLINT. Then here is the total, covering a variety of charges—

Mr. TILLMAN. I am afraid that that is something gotten up to bamboozle votes here; not by the Senator, but by somebody in California who sent it to him.

Mr. FLINT. I called attention to this statement, giving the number of boxes, the average price free on board, and every item connected with it, in my remarks on Saturday. It shows that \$1.56 free on board is the average price of oranges and lemons in California.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Michigan?

Mr. FLINT. Certainly.

Mr. SMITH of Michigan. I think it would be interesting to the Senate, if the Senator has not already done so, to read the report showing the cost of producing lemons in Sicily.

Mr. FLINT. I did that on Saturday.

Mr. President, I wish to answer one proposition of the Senator from New York, that the elimination of a competitor would not have the effect of reducing the price of the article to the consumer. There are Senators here, the Senator from North Dakota [Mr. JOHNSON] and the Senator from Iowa [Mr. DOLLIVER], who were upon the Committee on Ways and Means when a duty was placed on all citrus fruits of a cent a pound. It was stated then, as it is being stated now by the Senator from New York, only it was stated then by Democrats, that this was an excessive duty, and that it would be charged to the consumers of this country. The result of it is that navel oranges, which at that time were selling at an average of \$3.50 a box, now that the market is in possession of California and Florida, are selling at \$2.50 a box. We eliminated the foreign producer and gave an industry to California and Florida amounting to millions and millions of dollars.

Mr. BURKETT. The Senator must remember that just two or three years previous to that Florida lost all her orange groves and there was rather an unusual price right at that time.

Mr. FLINT. I said the average price under the Wilson law was \$3.50 a box, and the average price now that the market is in the possession of California and Florida is only \$2.50 for a box of navel oranges.

Mr. BURKETT. But in 1894 Florida lost all her oranges.

While I have the floor, I have a telegram here signed by several constituents—eight or ten citizens of Omaha—protesting against any advance in the duty on lemons. I have letters from several other fruit jobbers and fruit dealers in the Mississippi Valley. I will merely call the attention of the Senate to the fact that every one of them protests against an increase of the rate, stating that it means an increased price to the consumer. I will not take the time to read them, but will ask permission to add them to my remarks.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

OMAHA, NEBR., April 13.

Hon. E. J. BURKETT,  
United States Senate, Washington, D. C.:

Undersigned Omaha jobbers citrus fruits respectfully ask duty imported lemons be maintained 1 cent per pound. Contemplated advance places all users at mercy of California growers and shippers. Nearly 60 per cent of lemons imported last year. California asks about 40 cents per box additional duty. Vigorously protest against advance, which will come out of consumers' pockets, while destroying importations.

HENRY G. STREIGHT.

R. BINGHAM & SON.

GILINSKY FRUIT COMPANY.

ROCCO BROTHERS.

B. BLOTKY.

SNYDER TRIMBLE COMPANY.

HALEY & LANG COMPANY.

O. W. BUTTS.

DAVIS & BAUDO.

WESTERN FRUIT JOBBERS' ASSOCIATION,  
Omaha, April 20, 1909.

Hon. E. J. BURKETT,  
United States Senate, Washington, D. C.

DEAR SENATOR: On behalf of this association, noticing your efforts and your amendment to tariff bill to prevent advance of duty on imported lemons, we wish to assure you of our support in this matter.



Knowing that telegram went to you from nine Omaha wholesale dealers, and being advised that Topeka, Des Moines, et al., had also sent wires to Washington, we did not wire you direct. However, we sent, at suggestion of our president, Mr. Gees, three or four telegrams the next day, protesting strongly against any advance over figures now in force. These wires went to Senators BURROWS, HALE, and PENROSE, signed "Western Fruit Jobbers' Association; R. W. Gees, President; E. B. Branch, Secretary."

As you know, strong resolutions against advance were passed by this association early in January, at our annual meeting of members.

We have an executive-committee meeting in Omaha, Saturday, 24th instant, and this subject (with other matters) will no doubt be again considered, and you may again hear from us. In the meantime, if you have any suggestion, or further action by this association is desired, please advise me by wire.

The California "contingent," in their brief presented to the Ways and Means Committee of the House, admit that under the stimulus of an increased duty ten to twelve years would be necessary to produce the lemons consumed in the United States (first paragraph of sixth page).

Any advance in the duty on lemons will immediately be felt and paid for by the consumer, while largely destroying the business of the dealer.

Very respectfully,

E. B. BRANCH, Secretary.

DOLAN FRUIT COMPANY (INCORPORATED),  
Grand Island, Nebr., April 21, 1909.

Hon. E. J. BURKETT, Washington, D. C.

DEAR SIR: As a firm we wish to go on record as being positively against any increase on the tariff on lemons, thinking that the conditions now existing in California are such as to enable the people to meet any competition of foreign lemons. They are putting their lemons clear to the coast for the last several years. It simply places them in a position to advance the lemons throughout the Middle West upon the jobbers. The jobbers, of course, will have to increase it upon the consumers.

You will please find inclosed a couple of leaves torn from the report of the last meeting of the Western Fruit Jobbers' Association at Minneapolis in December, which shows the position taken at large by the Western Fruit Jobbers' Association, which cover the whole western country west of the Mississippi. We notice your amendment covering the lemon proposition, and think it fair and equitable.

Trust you will be able to carry through.

Yours, truly,

DOLAN FRUIT CO.,  
Per M. L. DOLAN.

SNYDER-TRIMBLE COMPANY,  
Omaha, Nebr., April 19, 1909.

Hon. E. J. BURKETT,  
United States Senate, Washington, D. C.

DEAR SIR: Your letter of April 15 received and pleased to know that you are with us, as we do not want to pay any more for lemons than we are already paying. California has the lemon trade in the Western States, as the freight rate is high on imported lemons, shipped from New York or New Orleans. If there is more tariff on the Messina lemons, then the California shippers will advance the price and we are at the mercy of the California people. Trust you will be able to maintain the present tariff on imported lemons.

Yours, truly,

SNYDER-TRIMBLE CO.,  
By J. R. SNYDER.

R. BINGHAM & SON,  
Omaha, Nebr., April 26, 1909.

Hon. E. J. BURKETT,  
United States Senate, Washington, D. C.

DEAR SIR: We thank you for your favor of late date in reply to our message, in which we, the fruit jobbers in this section, object to the fruit duty as proposed by the new tariff bill on lemons. This simply adds what, in effect, amounts to 40 cents box increased cost on lemons, and if the measure should become a law it would probably influence the imports to extent it might mean \$1 box additional cost. This comes out of the consumer.

The lemon industry in California is beyond the stage where it requires any particular protection—at least any further protection than is afforded them by the present duty exacted.

Lemons have become a necessity in the household. We have no doubt but what the task of revising the tariff is an arduous one. It is not probable that Congress will be able to enact such a revision as will suit all the people. Our opinion, however, is that luxuries should be taxed and necessities made as cheap as possible for the great mass of our citizens.

Yours, truly,

R. BINGHAM & SON,  
By W. W. BINGHAM.

ROCCO BROTHERS,  
Omaha, Nebr., April 27, 1909.

Hon. E. J. BURKETT,  
Washington, D. C.

DEAR SIR: Are in receipt of your pleasure of the 15th instant, acknowledging receipt of our wire relative to tariff on lemons. We are more than pleased to note our views coincide with yours, and you are faithfully working along the line we suggested, namely, to have the tariff remain as it is, at 1 cent per pound. From press reports, however, we note you desire to change this to a certain extent, and your views, as expressed per press reports, are very satisfactory to ourselves. We trust you will be successful in having the lemon proposition inserted in the Payne tariff bill as outlined by ourselves. It is simply a case of the consumer paying an additional 50 cents per box for lemons if this tariff is successful, and we can see no reason for so doing. Furthermore, California is not as yet able to supply the United States with lemons, and there certainly is no reason why this tariff should be passed.

Your efforts in our behalf will be very much appreciated, we assure you.

Yours, truly,

ROCCO BROS.,  
Per YOUNG.

Mr. FLINT. Will the Senator file the telegrams he received from those favorable to the increase of duty?

Mr. BURKETT. I will say that I received two telegrams favorable to it. However, I received a letter from one who sent a telegram. I think I told the Senator I had received such a telegram. I received a letter two or three days following saying that it did not mean anything, that he simply was asked and sent it, and I must not lay any importance on it.

Mr. FLINT. Does the Senator mean to say that the editor of a leading paper in Omaha sent him a telegram in favor of a duty of a cent and a half on lemons and then sent a letter saying he did not mean it? I have not a very high opinion of the gentleman, if that is a fact.

Mr. ROOT. Mr. President, I do not wish to prolong this discussion, but I have reduced to pounds the figures I gave as the number of boxes produced by California last year. It is 133,000,000 pounds. That seems to be a sufficient answer to the terrible threat of the Senator from California that we would be deprived of lemons.

When the Dingley bill was passed they were raising 30,000,000 pounds, and in the year 1907 they raised 90,000,000 pounds. Last year they raised 133,000,000 pounds. What is the use of talking about a dying industry and about the California fruit grower being excluded from our market when the industry is progressing by leaps and bounds with unexampled prosperity under the present tariff?

Mr. FLINT. I will state that those trees were planted eight years ago, during the time when they thought they would be able to produce lemons at a profit. These trees are 8 years old, and this is the crop coming in that I speak of. You do not find that they have been planting out any lemon trees for the last two or three years.

Mr. PERKINS. If the Senator from New York will permit me, I will say that Cuba, Sicily, and Mexico are also increasing their production at an equal ratio or a greater one than we are in California.

Mr. ROOT. Will the Senator from California permit me to say that the statistics of importations do not show that that increase comes here?

Mr. PERKINS. The surplus?

Mr. ROOT. The increase.

Mr. PERKINS. We do not want it to come here.

Mr. ROOT. From 30,000,000 to 133,000,000 pounds has been the increase of the domestic production, and the importations have remained practically stationary.

Mr. FLINT. I wish to correct the Senator.

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. I do.

Mr. FLINT. Does the Senator mean to say that the foreign importations have not increased during these years?

Mr. ROOT. Very slightly. They have fluctuated up and down, in the neighborhood of two million.

Mr. FLINT. Does the Senator mean to say that the foreign importations have not increased in the same ratio as the increase in California?

Mr. ROOT. I do.

Mr. FLINT. I should like to have the Senator put in the figures to show that.

Mr. ROOT. I have read in detail the government figures, giving the importations for the past ten years. The statement of the government expert, Mr. Powell, is that as a result of the recent progress in the industry, the demand for the best lemons of California is greater than the present supply.

Let me say one thing, and I mean to say only one thing more. Mr. BEVERIDGE. Will the Senator permit me to interrupt him?

Mr. ROOT. Certainly.

Mr. BEVERIDGE. When the statement was made that the demand is greater than the supply, the Senator read from some publication. What publication was it?

Mr. ROOT. I read from an article in the Yearbook of the Department of Agriculture for 1907, by G. Harold Powell, pomologist in charge of fruit transportation and storage investigations, Bureau of Plant Industry.

Mr. BEVERIDGE. It is the statement of the Agricultural Department?

Mr. ROOT. It is the statement of the Agricultural Department. The Agricultural Department states that—

The American lemon industry has become permanently established on a firm foundation within the last few years, the seasons since 1904 having proved unusually profitable.

Then it states:

As a result of the recent progress in the industry, the demand for the best brands of California lemons is greater than the present supply.

Now, Mr. President, one word as to the way in which the lemon growers of California make up the figures they present here. This has been a growing industry. The profits have been increasing as they have learned the business. It is the last ten years of perfected work in the lemon groves that have shown the profits. So the government report says.

In giving the average profits for a period of ten years past, they include the period of education, of learning how to conduct the business. Those early years which in every industry are apt to be unprofitable are grouped with these later years of great profit, in order to give a low average. But there is no conflict in the statement of facts that is before us now, that this growing and prosperous industry is, with the present law, making great profits and meeting a demand greater than they can supply, and that they need no additional duty.

Mr. FLINT. Mr. President, I simply want to say to the Senator that his statement is contradicted. I have contradicted it, and I have referred to various documents contradicting his statement. I desire to present a table showing the importations of lemons during the last ten years.

The table referred to is as follows:

Lemons (act of 1897) under general tariff.

Fiscal year ended June 30—	Rate of duty.	Quantity.	Value.	Duty collected.	Average.	
					Value per unit of quantity.	Ad valorem rate of duty.
		Pounds.	Dollars.	Dollars.	Dolls.	Per ct.
1898.	1 cent per lb.	133,347,950	2,521,985.32	1,333,470.50	0.019	52.87
1899.	do.	208,634,448	4,399,160.72	2,086,344.48	.023	47.43
1900.	do.	159,384,389	3,656,946.85	1,593,843.80	.023	43.32
1901.	do.	148,334,112	3,516,877.29	1,483,341.12	.024	42.15
1902.	do.	162,962,091	3,318,908.82	1,629,620.92	.020	49.10
1903.	do.	152,775,867	3,087,244.22	1,527,758.67	.020	49.48
1904.	do.	164,042,415	3,507,679.55	1,640,424.15	.021	46.77
1905.	do.	139,079,068	2,904,975.44	1,390,790.08	.021	47.87
1906.	do.	138,689,148	2,934,195.34	1,385,891.48	.021	47.27
1907.	do.	153,990,739	4,254,230.56	1,539,307.39	.028	36.18
1908.	do.	178,437,835	4,888,247.95	1,784,378.35	.025	40.66

The VICE-PRESIDENT. The question is on agreeing to the committee amendment to paragraph 273.

Mr. ROOT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BRISTOW. The question is on the committee amendment?

The VICE-PRESIDENT. The question is on the committee amendment.

The Secretary proceeded to call the roll.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Delaware [Mr. RICHARDSON]. He is absent to-day. My colleague [Mr. DAVIS] is unpaired. I transfer my pair to my colleague, and vote "nay."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "yea."

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Minnesota [Mr. CLAPP]. I am advised that if he were here, he would vote "yea" upon this amendment. I would vote "nay." I withhold my vote.

Mr. SMITH of Michigan (when his name was called). I am paired with the Senator from Mississippi [Mr. McLAURIN]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. PAYNTER. I am paired with the senior Senator from Colorado [Mr. GUGGENHEIM]. He is necessarily detained from the Senate. I therefore withhold my vote.

Mr. FOSTER (after having voted in the affirmative). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. He has not voted, and I withdraw my vote.

Mr. NIXON (after having voted in the affirmative). I understand that I was paired with the Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the senior Senator from New York [Mr. DEPEW], and let my vote stand.

Mr. FLINT. The Senator from Louisiana [Mr. FOSTER] withdrew his vote, but I know the Senator from North Dakota [Mr. McCUMBER] would vote "yea," if present.

Mr. FOSTER. Then I will let my vote stand.

The result was announced—yeas 44, nays 28, as follows:

YEAS—44.

Aldrich	Brandegge	Burnham	Clark, Wyo.
Borah	Briggs	Burrows	Crane
Bourne	Brown	Burton	Cullom
Bradley	Bulkeley	Carter	Dick

Dillingham	Frye	Kean	Phelan
Dolliver	Gallinger	Lodge	Scott
du Pont	Gamble	Nelson	Smoot
Elkins	Hale	Nixon	Sutherland
Fletcher	Heyburn	Page	Warner
Flint	Johnson, N. Dak.	Penrose	Warren
Foster	Jones	Perkins	Wetmore

NAYS—28.

Bacon	Clay	Gore	Rayner
Bailey	Crawford	Hughes	Root
Bankhead	Culberson	Johnston, Ala.	Smith, Md.
Beveridge	Cummins	La Follette	Smith, S. C.
Bristow	Curtis	Martin	Stone
Burkett	Daniel	Money	Taylor
Clarke, Ark.	Frazier	Overman	Tillman

NOT VOTING—19.

Chamberlain	Guggenheim	Oliver	Simmons
Clapp	McCumber	Owen	Smith, Mich.
Davis	McEnery	Paynter	Stephenson
Depeew	McLaurin	Richardson	Tallaferro
Dixon	Newlands	Shively	

So the amendment of the committee was agreed to.

The VICE-PRESIDENT. Without objection, paragraph 273 is agreed to.

Mr. BURKETT. I offer an amendment to change the method of computation. Before the amendment is read, I will state that this makes the same rate as the Senate has just now voted, but it changes the calculations to be made by the box instead of by the pound.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 84, paragraph 273, line 7, it is proposed to strike out the words "lemons, 1½ cents per pound" and insert:

Lemons, in packages of capacity of 1½ cubic feet or less, 57 cents per package; in packages of capacity exceeding 1½ cubic feet and not exceeding 2½ cubic feet, \$1.14 per package; in packages of capacity exceeding 2½ cubic feet, \$1.14 per package plus an amount equal to 45.7 cents for each cubic foot or fractional part thereof exceeding 2½ cubic feet.

Mr. PERKINS. There is an old, familiar proverb, "Beware of the Greeks bearing gifts." I hope the amendment will not be adopted.

Mr. BURKETT. The Senator can not apply that to me. I have accepted what the Senate voted to do, but I am trying to arrange the measure of the duty in a more practical way, so that it will be cheaper to the Government and more satisfactory.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. BURKETT].

The amendment was rejected.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. RAYNER obtained the floor.

Mr. GORE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maryland yield to the Senator from Oklahoma?

Mr. RAYNER. I wish to address the Senate for a few minutes.

Mr. GORE. I wish to say that I was asking recognition before the Chair announced that the paragraph was agreed to. I should like to offer an amendment, if the Senator from Maryland will yield.

The VICE-PRESIDENT. Under those circumstances it is understood that the paragraph is not definitely agreed to. The Senator from Maryland will proceed.

Mr. RAYNER. Mr. President, my remarks will take about twenty-seven minutes. One-half of this time will be devoted to a brief narrative which I know will be entirely harmless and inoffensive; the balance of the twenty-seven minutes will be occupied with matters a little more grave and serious.

I propose to make a few observations upon the citadel of protection. The other day the Senator from Rhode Island, when a great speech had been delivered attacking the rates of duty in the woolen and cotton schedules, remarked that to change those schedules would destroy the very citadel of protection.

I want to look inside of this citadel now for a moment and see what things are going on from day to day within. Never in my experience was a citadel in such a state of tumult and commotion. The Senator from Rhode Island is upon the upper floor and with him are his warriors. The din and clatter are on the floors beneath. I was gazing at the classic features of the senior Senator from Massachusetts the other day when there was the usual uproar in the citadel. The sturdy recruit from Kansas was hammering away at the lead schedule and it seemed to disturb the tranquillity and repose of the senior Senator from Massachusetts. He appeared to be almost upon the point of prostration and collapse, when the senior Senator from New Hampshire, who is the surgeon of the post and is always ready with his remedies and nostrums, arose to administer a stimulant to the Senator from Massachusetts, who quickly revived under its exhilarating effect.



I observed upon another day when everything seemed serene upon the upper floor that suddenly the nerves of the senior Senator from Rhode Island became distracted when that sturdy old revolter, the senior Senator from Minnesota, who has admitted that the blood of Scandinavian pirates is in his veins, and who is upon the ground floor, commenced to scuttle the citadel, if I may use that word in connection with a citadel, by driving with his sledge hammer blows large holes into the bottom of the structure. When the muster roll was called, however, and the vote was taken, the damage was repaired, and the Senator from Rhode Island, upon the upper floor, resumed his ancient smile.

Upon another day a volunteer from South Dakota, who is also upon one of the lower floors engaged in dismantling the citadel, began to tear away the iron girders that support the fabric, and the Senator from Rhode Island cast a furtive glance toward the Senators from Michigan, and these sturdy stalwarts reassured him that if he would keep his courage up they would guarantee that the iron mines of Michigan would furnish sufficient raw material to underpin the structure for the next six thousand years, and on this floor a compromise was struck and fifteen hundred years was determined upon as the time limit within which all the ores from all the world should be excluded from our shores.

Then there arose the great insurgent from Wisconsin, as mild a mannered man as ever cut a throat or scuttled a ship. He is also in the citadel. He is underneath the structure all alone, plodding by day and dreaming by night how to undermine its foundations, so that the entire citadel would tremble from its turret to its base. He arose to make some innocent suggestions in his usual modest and persuasive way, and they were made in almost whispering accents, but they rang through every floor of the citadel like discordant notes of music on the structural clauses of the metal schedule. The Senator from Rhode Island heard them, and then a scene transpired that I shall long remember. The great ex-Secretary of State, whose presence is an honor to this body and who has filled with such high distinction every service into which his country has called him, was figuring and writing. The Senator seems to be always figuring and writing. The Senator from Rhode Island was looking toward him. Now, it must be understood that the Senator from New York is not within the citadel. He has a little citadel of his own, and between his citadel and the main stronghold, upon the upper floor of which his client, the Senator from Rhode Island, is located, there is a wireless system of telegraphy, and whenever the Senator from Rhode Island is in imminent danger and peril there comes a hieroglyphic message from the Senator from New York—"Hold the fort, for I am coming." In this instance there came upon the waves a message that startled and electrified the Senate. It was to this effect and, when deciphered, in substantially these appalling words:

Mr. President—

Said the Senator from New York—

the Senate has been laboring under a delusion in holding the Senator from Rhode Island responsible for this bill. He is not guilty, except as to the portion in italics. The bill embraces over two hundred pages, and I shall prove to the point of demonstration that he is not guilty as to anything except the type that slopes toward the right, a species of type that is called "italics" because in the year 1500 it was dedicated by its founder and inventor, Aldus Manutius, to the states of Italy. I can prove an alibi for him upon every line of the Roman lettering of the entire instrument. Not only can I prove an alibi, but I will produce before this body the actual criminal. The unfortunate criminal, Mr. President, in whose behalf I beg the tenderest mercy of this tribunal, is the gentleman who presides over the Ways and Means Committee of the House of Representatives. He composed every line of the Roman lettering, and the Senator from Rhode Island is innocent.

This deliverance reminded me of an incident that occurred in one of the judicial tribunals of my own State. A prisoner was on trial for crime. He was acquitted upon proof of an alibi. When the case was over the judge who presided at the trial approached the prisoner's counsel and said: "My friend, that was a good alibi that you proved in this case." "Yes, your honor," said the prisoner's counsel, "I had a large number of alibis handed to me and I selected this one because it was the best of the lot."

Is it any wonder that when the Senator from Rhode Island was thus acquitted a joyous smile suffused not only his genial countenance, but the countenances of all of his relatives and kindred upon the Committee on Finance? Even the Senator from California, who is one of the next of kin of the Senator from Rhode Island upon the committee, rejoiced because the acquittal of the chief conspirator, under the ingenious plea of the Senator from New York, carried with it necessarily the acquittal of the Senator from California, because there is scarcely a product of the California orchards and vineyards

that does not blossom and bloom under the Roman lettering of the tariff bill, and a quarter of a cent upon lemons is the only count in the entire indictment, it being in italics, upon which the Senator from California could possibly be convicted.

When I said that the Senator from New York was constantly figuring and writing, it is proper for me to state that he is not the only Senator who is thus at work. The brilliant senior Senator from Indiana seems to be engaged continuously at the same sort of labor. I must confess I have not any definite idea what the Senator from Indiana, with all these enormous tariff schedules upon his desk, is figuring and writing about all the time. I do not know whether he is in the citadel trying to get out, or whether he is outside of the citadel trying to get in. He seems to be on the friendliest economical footing with the Senator from Rhode Island, because whenever a schedule is reached the two Senators seem to be embracing each other; and then, a moment afterwards, the Senator from Indiana arises to shake his gory locks at the Senator from Rhode Island. I will not call this a seance, because I want to be polite. But what is it? Is it a comedy or tragedy, for we know the world is a stage and all of its people actors?

The greatest act, however—and when I call it an act I do not mean for a moment that it was not perfectly sincere and genuine—that has been played during all of these scenes either inside or outside of the citadel was that performed by the radiant mutineer from Iowa, the senior Senator from Iowa. I have seen the Senate and the House held for hours upon great constitutional and governmental questions by men of eloquence and power, but any man who can throw his emotions into the woolen and cotton schedules and captivate the Senate for two days by the charms of his oratory and the sparkling humor of his repartee deserves the admiration of posterity. It was a great and dazzling feat that the Senator from Iowa undertook. It was an intellectual athletic achievement that has hardly ever been equaled upon the floor of this Chamber. The Senator measured the citadel and made up his mind that he would ascend to the top of it while the shot and shell were pouring in upon him from its upper apartment. He did it well. Round by round he climbed. His eye was on the summit and he never stopped until he stood beside the spire. With one hand upon the flagstaff, with the other he seized the flag and took its protected bunting and tore it into shreds and tatters.

Upon the first day of the charge he was frequently interrupted by the senior Senator from Utah. The Senator from Utah is the chaplain of the garrison and is holding daily his morning, midday, and afternoon revivals. He is not only the chaplain of the garrison, but he is the spiritual adviser and comforter of the Senator from Rhode Island, and this is perfectly right and proper, because the Senator from Rhode Island in his moments of remorse and penitence for the work that he is engaged in is entitled to all the assuaging consolation that religion can afford him. Upon the second day the Senator from Utah ceased his invocations, because he had evidently arrived at the conclusion that the heretic from Iowa was not a subject for conversion. Not only this, but the Senator from Utah had probably consulted certain passages of the Scriptures which had admonished him that the power of silence at certain psychological moments is one of the greatest gifts of God. I will give these biblical quotations.

Fourth chapter of First Corinthians, verse 20:

For the kingdom of God is not in word, but in power.

The Epistle of Paul to the Hebrews, chapter 4, verse 2:

For unto us was the gospel preached, as well as unto them; but the word preached did not profit them, not being mixed with faith in them that heard it.

The second chapter of Job, verse 13:

So they sat down with him upon the ground seven days and seven nights and none spake a word unto him, for they saw that his grief was very great.

When I speak of the Senator from Utah as the chaplain of the garrison I must not omit the fact that the senior Senator from Montana is the bishop of the entire flock. He does not hesitate, however, when the theologians who are under him are absent upon their pastoral calls to step down from his high elevation and occupy the place of moderator of the assembly and superintendent of the Sunday school upon the other side of the Chamber. The senior Senator from Montana is the great pacifier of his party. There is no hole so narrow or so deep that any of his colleagues can get into that he can not crawl in after them and bring them back to the surface. There is no complexity or difficulty so great that he can not relieve the situation.

We had as fine an example of this as I ever witnessed upon this floor a few days ago. The sugar schedule was under discussion, and the junior Senator from Kansas was pounding and hammering away at the citadel, and I thought that at last there

was a chance perhaps of making some inroad upon it. All at once I saw the benignant countenance of the senior Senator from Montana at the further end of the Chamber, as I thought, engaged in silent prayer. Gradually he wound his way around to the middle aisle. How he got there I do not know. His chaplain, or one of his chaplains, the senior Senator from Utah, was in great peril, and he had come around to extricate him. It appeared that the Senator from Kansas had received a communication from a Cabinet officer in connection with the sugar schedule, and the Senator from Utah a few days afterwards had received a communication which absolutely contradicted the first communication that the Senator from Kansas had received, and thereafter the junior Senator from Georgia also received a communication from the same Cabinet officer contradicting both of the other communications that he had sent to the Senator from Kansas and the Senator from Utah. Now, a complicated and intricate situation of this sort would have deterred almost anyone in any effort or attempt to settle it. Not so with the Senator from Montana. With the serenity and composure of a saint he stepped into the breach, and waving all three Senators aside, he said:

Mr. President, if these Senators, who seem to be considerably agitated in this matter, will hold their peace for a moment, I think I can solve the situation very easily. If a man makes a statement one day—

Said the Senator from Montana—

and then upon another day makes another statement at entire variance with the first, and then upon another day makes a third statement in deadly conflict with both of the other statements that he has made, there is a way, Mr. President, by which all of these statements can be reconciled without imperiling the truth of any of them. In such a case—

Said the Senator from Montana—

in order to arrive at the truth I would take the three statements and strike an average, and thus by a process of mathematical adjustment I would maintain proper proportions and arrive at a symmetrical and harmonious solution of these three apparently irreconcilable positions.

The most remarkable thing in connection with this statement was that every one of us seemed to be perfectly satisfied with this process and explanation, and after the Senator from Montana had pronounced this benediction he retired with that guileless and immaculate expression that would have done credit to the meek and lowly Moses when he came down from the smoking mountain with the tables of testimony in his hand.

Now, Mr. President, this description that I have given would not be worth the consumption of the time that the narrative has taken if it did not have a moral to it. What is the moral? This is the moral: The Senator from Nevada, a man of great learning and accomplishments and replete with original ideas and conceptions, the other day, after the junior Senator from West Virginia, with his hand upon a decanter, had concluded an oration, whose purpose it was to show the poverty and destitution of the American manufacturer and the unbounded wealth and opulence of the American retailer, suggested that the proper step for us to take—that is, those of us who are playing around the breastworks—is to form a combination with those who are inside the citadel, and thus by a union of forces destroy the edifice.

This plan did not strike me with much favor when it was proposed, because as a rule I do not believe in political combinations of this sort. Whatever impression it made upon me, however, was entirely dispelled when the junior Senator from Iowa arose to make his dashing onset upon the citadel. I had cherished the idea that the junior Senator from Iowa intended to dynamite the entire establishment. By frequent intimations he gave notice of that sinister purpose. As a rule dynamiters do not herald their intentions, but there are some exceptions to the rule, and knowing the junior Senator from Iowa to be a gladiator of great valor and prowess I took him at his word. But, Mr. President, there was no dynamite in sight. The Senator had no explosives with him. He simply had a shovel, a pickaxe, and a crowbar and was trying to weaken some of the schedules so as to send a few rafters and shingles and splinters through the circumambient air, and when he finished with his tools he boldly announced that after the whole business was over he would gladly take his place upon the upper floor with the senior Senator from Rhode Island if some one would kindly lift him up by a derrick to this high eminence and exalted station.

Now, how can there possibly be a combination between us on the outside and the insurgents on the inside? I have never believed and never will, so long as I maintain my faculties of reasoning, that Congress has any right under the taxing power to lay prohibitive duties. They believe we have, and their idea is when they strike down certain schedules to maintain the great principles of the bill, and I am against the principle of

the bill. Let me tell you, the Supreme Court has never decided this question, and the best text writers and commentators are against it. Understand me now, so that there is no mistake about it. I maintain the proposition that if this act were to declare upon its face that any of the duties which it imposes are prohibitive and that they are levied with that intent, the act would be unconstitutional *pro tanto*. Do not let us get confused now upon this proposition. I do not hold for an instant that a protective duty levied upon a revenue basis is unconstitutional. That question has been closed by the decisions, but I assert without the fear of successful contradiction that if the act shows that we are imposing duties that we do not intend to receive and providing for revenue that we do not intend to collect, and if that purpose is manifest upon the face of the legislation, such an enactment would be unconstitutional.

I do not care to discuss this proposition with anyone who skims along the surface of great legal problems, but I would be glad to argue it with anyone who is thoroughly conversant and familiar with the principles and authorities upon the subject. I know that I will be asked, "Do you mean to say that a protective duty is unconstitutional?" No. I mean to assert no such absurdity. I admit that if a duty for revenue is laid, even if it affords protection, while it might be against public policy and the traditions of my party, it is a valid exercise of constitutional power. My proposition is this: When you show that the duty is levied not for the purpose of revenue, but for the purpose of absolutely preventing importations, then under the taxing power you are beyond the jurisdiction of the Constitution. Do not tell me that I am reviving an obsolete doctrine, because I tell you that the point that I am now making has never yet been presented to the courts and the courts have always avoided deciding it, because the legislation before them has always concealed the intent of the law-making power. The courts have always said they could not tell whether or not the act will raise revenue, because upon its face it purports to do so. They have never yet been called upon to deal with an act which upon its face, while imposing a duty, demonstrates that it did not propose to collect any revenue. I do not believe there is a lawyer in this body thoroughly conversant with the principles of constitutional law who will dispute the proposition for which I am now contending.

I send now to the desk a bill which I have drawn, which I desire to have read and which illustrates the proposition for which I am contending. Of course I have no idea of offering this bill, but I simply take it as an illustration of my argument.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Whereas it is proposed to place a duty upon steel rails that will prevent their importation into the United States, so that said duty shall be absolutely prohibitive and give the manufacturers of steel rails in the United States the entire control of the American market: Now, therefore, in order to carry out said purpose,

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied and collected the sum of \$40 per ton upon all steel rails when imported from any foreign country into the United States.

Mr. RAYNER. Mr. President, does anyone here believe that this is a constitutional measure? Why not? Simply because upon its face it shows that while professing to be a revenue measure it is absolutely prohibitive upon importations, and that this was its object and design. Now, it will be asked me, "Is this present bill unconstitutional?" Certainly not. Why not? Simply because we are perpetrating a fraud upon Congress, upon the Constitution, and upon the Supreme Court of the United States in concealing the legislative motive from the legislative measure. This bill under the guise of collecting revenue places a prohibitive duty upon hundreds of articles of importation, and if it expressed this purpose upon its face, as does the bill that I have sent to the desk to be read, it would be unquestionably pronounced invalid. It is for this reason, Mr. President, that I am against the entire bill, and against any bill that levies prohibitive duties.

I do not believe that either openly or in disguise we have any power whatever under the taxing and revenue clauses of the Constitution to place a prohibitive duty upon importations to protect the industries and manufactures of this country. This is the faith that I was born in and this is the faith that I hope to die in if the Constitution shall still survive at the period of my demise, and in order to show that this is the genuine creed of our institutions, I now read a few lines from authorities as great as any that exist upon the subject. These are the words. I read first from Tucker on the Constitution:

The power granted as a means of revenue can not be diverted from this legitimate purpose by the indirect use of it to do what Congress has no power to do by direct taxation. The end is not legitimate,



and therefore the law is not constitutional. It is true that where the law merely imposes the tax without disclosing the indirect purpose of its imposition the courts may have no right to declare the law unconstitutional, though if the purpose were disclosed on the face of the act the courts would do so.

And now again, quoting from Judge Cooley, I read the following extract:

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly to prohibit some particular import for the benefit of some home manufacture may well be questioned as being merely colorable and therefore not warranted by constitutional principles. As it is a duty from which revenue may be derived the judicial power, where the motive of laying does not appear on the face of the act, can not condemn it as being unconstitutional; but it is none the less a violation of the Constitution by the legislator who knows its object and levies the duty from a motive not justified by the Constitution.

So far as I am concerned I am voting with the insurgents all the time and they are all men of unflinching courage, but there is no doubt about the fact that with the single exception of the Senator from Wisconsin we have not heard a positive statement as to the willingness of any one of them to vote against the bill when it is finally perfected. Every time we vote with them we are defeated, and then after we vote upon the last item they expect to support the whole bill with all of their amendments voted down, while I intend to vote against the bill even if the amendments had been adopted. My own judgment, therefore, is that we had better go it alone.

I am not after a schedule here and there, because that illustrates no principle. I am not in favor simply of weakening the citadel. I believe in storming it if we have the power. The senior Senator from Iowa has torn down the flag, but he has raised no other flag in its place. If we had the lead I would march toward the citadel in which monopoly lies entrenched, I would help to tear the mask from those who have robbed us, and the truth should be revealed. I would trample upon the emblem that bore upon its face the strange device of a prohibitive tariff, and in its place I would raise aloft the ensign of a constitutional tariff for revenue, the armorial crest of the Democratic party, whose flaming symbol should proclaim to our countrymen that we are ready again to make the fight upon this issue. Twice before we made the fight against terrific odds, and twice before we won.

I stand for the unprotected people against protected monopoly. Not protection to American industries, but protection to the American consumer; that is the catchword that I would conjure with. I may be wrong, but I believe just as surely as I am addressing the Senate to-day that if we maintain the courage of our convictions and cling to the traditions of our faith when this oppressive bill is passed the hour will come when the citadel will be reached and the citadel will fall. As posterity marches by its ruins in its dying embers it will read the message that the garrison has capitulated, that the perverted and disfigured editions of the Constitution have gone down in the wreck, but that the scroll of the ancient law has been rescued, that the power to levy taxes upon the people of this country for any other purpose except governmental revenue has been forever repudiated, that the wants of penury and the toil of unrequited labor have at last been heard in the assertion of their natural and human rights, that the Magna Charta of the American consumer containing his ancient and inherent privileges has been restored to him, and that the partnership between the protected interests, who for nearly a half century have been gathering their toll at the ports of entry of this Republic, and the Government of the United States has been forever sundered and dissolved.

Mr. GORE. At the close of paragraph 273 I propose to insert the following amendment:

Bananas, 6 cents per bunch.

Mr. President, I desire to submit only a few remarks upon the proposed amendment. I voted against the increase in the duty on lemons, because lemonade is the poor man's beverage in this country, and I thought we ought to have more beverages of that kind; and, I think, instead of increasing the tariff on lemons, we ought to have thrown a rose leaf upon the brimming bumper and drunk to the health of the poor people of the United States. But, Mr. President, the increased duty on lemons is typical of this entire tariff revision. Our Republican friends have handed the people of this country a lemon. They promised the people a fish, and they have given them a brood of serpents, and I doubt not that the people will repay them with a brood of scorpions.

Mr. President, I think I have treed a trust. There is a banana trust in this country, and I intend now to join the senior Senator from Maryland [Mr. RAYNER] in unmasking the hypoc-

ris of the Republican party and in unmasking the hypocrisy of the pending tariff revision. I have watched with much interest the votes cast here by the twelve Senators from New England, and I think now that I shall afford an opportunity for the Democrats on this side of the Chamber to vote in harmony with the twelve apostles of protection from the States of New England. We have increased the tariff on lemons from 36 per cent ad valorem to 54 per cent ad valorem. The duty on oranges is more than 59 per cent ad valorem. I have proposed a duty of 6 cents per bunch on bananas. That is equivalent to an ad valorem rate of 19 per cent, only about one-third of the existing tariff on oranges and only about one-third of the increased duty on lemons.

Mr. President, a duty of 6 cents per bunch on bananas will raise a revenue of \$2,225,000. Those five words contained in that amendment will be worth two and one-quarter million dollars to the famished Treasury of this country, and it is only one-third of the duty on lemons and oranges to which this committee has just committed itself. An average bunch of bananas contains about 66 bananas. This, then, imposes a duty of 10 cents per hundred bananas—1 cent for every 10 bananas, and one-tenth of 1 cent for each and every banana.

Now, sir, I think it would be impossible for the fruit trust to transmute and transfer that burden to the consumers of bananas in this country. I think, without peril to the consumer, we can give the Treasury two and one-quarter million dollars. But I intend to demonstrate that our Republican friends vote to impose a duty or vote to increase a duty when that duty is necessary to protect a domestic trust, and they vote against any duty whatever whenever the imposition of a duty would interfere with or would diminish the profits of a domestic trust.

Mr. President, the history, the character, of our legislation with reference to bananas is most interesting. I will not say that this banana provision was inserted in a sinister way or that there is anything sinister in the provision, but I will say it is significant. Senators will search the dutiable list in vain for the euphonious word "banana." Senators will search the free list in vain for the word "banana." It seems not to be in the dictionary of the protectionists of the Senate or of the country. Where does this provision appear through which enter the United States annually 37,000,000 bunches of bananas? I call the Senators' attention to this language, which occurs in the free list:

Fruits or berries, green, ripe, or dried, not specially provided for.

Mr. President, through this innocent provision there comes into this country annually 37,000,000 bunches of bananas. One would hardly think that in so guileless a clause such a wilderness of this fruit could have been planted and produced. But, sir, they come, their names uncalled and their entrance unchallenged. Not only do the 37,000,000 bunches of bananas nestle in this provision, but a fruit trust nestles also in that provision and nestles in the classic city of Boston.

I charge here that the United Fruit Company has a practical monopoly of the banana importation and the banana business of this country. The United Fruit Company was organized in 1899. Mr. President, in 1809 Abraham Lincoln, Charles Darwin, and a number of other illustrious personages were born upon this earth, and it seems that in 1899 a number of trusts and monopolies were born in this country, a year of plagues, we might call it. The United Fruit Company was chartered and organized in the State of New Jersey. That, sir, of course, is a certificate of good character. Not only that, but that charter is a roving commission, authorizing it to wander to and fro on the earth, seeking whom it may devour. That company consolidated more than 11 other fruit companies. All of the directors of this company reside in the State of Massachusetts except two who live in New York and one who resides in the State where the company had its nativity.

This company was chartered for \$20,000,000. Last year it increased its stock to \$25,000,000. In 1906 its total profits aggregated \$6,000,000; in 1907 its total profits aggregated \$6,000,000 in dividends and in surplus. That company has more than ten millions of surplus on hand. It has, I say, a practical monopoly of banana importations and the banana business in this country. I am informed that at times it has dumped entire cargoes of bananas into the harbor of Mobile and elsewhere in order to avoid depressing the price of bananas and affording a consumer an opportunity to enjoy the luxury of cheap bananas.

To prove what I have said in regard to this company having practically a monopoly, although there are a few other small companies, I send to the desk a few telegrams from collectors of customs in various ports of this country, and I challenge the attention of Senators, and ask them to mark with what rhythmic

and recurring cadence the name of the United Fruit Company appears in these telegrams.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CHARLESTON, S. C., May 17, 1909.

Hon. T. P. GORE,  
United States Senate, Washington, D. C.:

United Fruit Company only imports bananas this port, fiscal year 1908; Jamaica division, same company shippers.

E. W. DURANT, Jr.,  
Collector of Customs.

BOSTON, MASS., May 17, 1909.

Hon. T. P. GORE,  
United States Senate, Washington, D. C.:

Importer, United Fruit Company; purchases from United Fruit Company, Dumois Nipe Company, various growers, and E. Verley, at island of Jamaica. Importer, W. W. & C. R. Noyes; purchases from J. Simons & Co., at Sama, Cuba.

LYMAN, Collector.

MOBILE, ALA., May 17, 1909.

T. P. GORE, Washington, D. C.:

Respecting telegram, principal importers of bananas are United Fruit Company, who operate principally their own plantations, and Hubbard-Zemurray Company, who purchase from various planters through local agents stationed at Central American ports.

TEBETT, Collector.

BALTIMORE, MD., May 17.

Hon. T. P. GORE,  
United States Senate, Washington, D. C.:

Importers of bananas are United Fruit Company, consigned from United Fruit Company at Port Maria, Port Antonio, and Montego Bay, purchased from United Fruit Company at Stanns Bay, Jamaica; Atlantic Fruit Company, purchased from Dyer & Gideon, Port Maria, and Atlantic Fruit Company, Port Maria and Stanns Bay, consigned from Atlantic Fruit Company, Montego Bay, Jamaica; Lanasa & Gaffe Steamship Company, consigned from Lanasa & Gaffe Steamship Company, Montego Bay, purchased from Gaffe Brothers, Port Maria, Port Antonio, and Stanns Bay, Jamaica.

WILLIAM F. STONE, Collector.

PHILADELPHIA, PA., May 17.

T. P. GORE, Washington, D. C.:

Atlantic Fruit Company and the United Fruit Company principal importers of bananas year 1908.

HILL, Collector.

NEW YORK, May 17.

T. P. GORE, Washington, D. C.:

Two principal importers of bananas fiscal year 1908 were Atlantic Fruit Company and United Fruit Company. Purchased from Atlantic Fruit Company, United Fruit Company, Dyer, Gideon & Co., and Simon Fruit Company.

STUART, Special Deputy Collector.

UNITED STATES CUSTOMS SERVICE,  
New Orleans, La., May 18, 1909.

Mr. T. P. GORE, Washington, D. C.

SIR: In reply to your telegram I have to state that the two principal importers of bananas at this port are the United Fruit Company and the Bluefields Steamship Company (Limited), both companies operating a line of steamships and transporting bananas from their own plantations.

Respectfully,

HENRY McCULL, Collector.

Mr. GORE. Mr. President, those telegrams reveal the fact that at every port the United Fruit Company is introducing the products of its own lands, and, as I have suggested before, exercising a practical monopoly in this country. There are two or three other small concerns; one other the name of which did not appear in any of these telegrams.

The United Fruit Company was not only chartered for \$20,000,000 and now has a capital of \$25,000,000; it not only dominates the banana markets of this country, but it owns and operates its own banana plantations in other countries. The United Fruit Company owns 396,000 acres in its own right and title, and it leases many thousand acres in addition to its own holdings. It owns 315 miles of railroad, which it operates in connection with its plantations, and also owns its own steamship lines. Here is one monopoly now which will yield a golden revenue to the embarrassed coffers of this country by the imposition of a tax only one-third as large as the Senate has deliberately voted upon oranges and only about one-third as large as the Senate has deliberately voted upon lemons.

I intend to see whether it be the policy of the Finance Committee to supply the deficit now existing in this country or whether it will refuse to lay the weight of its little finger upon this fruit company which is enshrined, as I have said, in the classic and puritanic city of Boston.

Mr. President, there is one other consideration which will have greater weight with the "twelve apostles" and with the protectionists on the other side. If we will only levy this tax upon bananas, we can soon raise all the bananas we need in the United States, and, in the philosophical language of the Senator from West Virginia, we will have both our bananas and our money. The Senate voted a few days ago a pension of \$30 a ton to the lead trust in Idaho and Utah. If it would only levy

a tariff of \$30 a ton on bananas, who is here to deny that we might soon see banana groves flourishing upon the beetling crags of the Rockies.

My good friend the Senator from North Dakota [Mr. McCUMBER] has, by labor in season and out of season, succeeded in increasing the duty a nickel a bushel on corn, so that the farmers of this country are secure in their fortunes and in their destiny. But he alarmed me with the suggestion that the prairies of North Dakota were becoming exhausted. Nothing recuperates the soil like diversification of crops; and, with a tariff on bananas, why not plant those prairies in banana groves and produce in our own country all the bananas we can consume? Of course, a mere theorist would say it is better for the farmers of North Dakota to raise wheat and buy bananas; the same theorist would contend that it is better for the people of Central America to raise bananas and buy wheat; but they are mere theorists, engaged in elusive pipe dreams.

Sir, we want to encourage American industry and produce our own bananas, and it is not beyond hope that Boston itself may become the very center of the banana business of this country. Why not have vast groves of bananas waving over the entire region of New England? The soil of New England is sterile. The people of that section have been engaged in raising little else than the tariff, and they have found that the most profitable business to which they could possibly apply their ten talents.

But it seems to me the State of Maine is peculiarly adapted to the culture of the banana, and when her hills have been denuded of the forest primeval, when her stately spruce have been felled and manufactured, have been converted into the Morning Sun and the Evening Star, why not insure that those bleak hills will wave with the budding and blossoming banana? Why not have the banana there unfurl its banners of protection in the north wind's bitter blast?

Let us build up home industry, and then the senior Senator from Maine [Mr. HALE] could serve home-grown bananas in fruit dishes manufactured and sold by the junior Senator from West Virginia [Mr. SCOTT] at 90 cents a dozen. Whoever undertakes to deny this I must characterize as a skeptic. He does not appreciate either the virtues or the efficacy of this protection magic. Mr. President, you know full well that neither the laws of nature nor the laws of economics nor the laws of morals can withstand its witching power. If we would make the tariff high enough, I am not certain but that we could by that policy make the orange, the lemon, and the banana flourish, flower, and fruit in the very shadow of the northern pole, and thus establish tropical gardens and ambrosial bowers upon the sides of "Mount Yaanek in the ultimate cline of the pole."

Nothing is beyond the dreams and possibilities of protection. The Senator from Vermont stated a few moments ago that he would like to see all the oranges and all the bananas that our people consume produced in the United States. The Senator thought that he thought that. But he does not, as a matter of fact, and he will not vote for this tariff on bananas. It is not his fault. He is not at liberty to vote for this duty. The junior Senator from Michigan waxed eloquent, as he always waxes eloquent when he discusses or even contemplates the glories of protection, and he, too, has a penchant and a partiality for lemons and oranges grown within the United States. I predict that he will not vote for the duty on bananas.

Mr. President, it would be improper, it would be unparliamentary, for me to say that standpatters everywhere are a great deal like a graphophone. The senior Senator from Rhode Island [Mr. ALDRICH] inserts the record, and they say whatever they are bidden to say. I do not say that because it would be unparliamentary and would probably be unjust, but I call Senators to mark: We have just levied a tariff of 56 per cent on lemons. We have maintained a tariff of 59 per cent on oranges. I have moved to impose a tariff of 19 per cent on bananas, and it will raise a larger revenue than the increased duty on lemons, and it will produce ten times as much revenue as your exalted tariff on oranges. If we are seriously engaged in supplying the requirements and the deficiencies in the Treasury; if we wish to impose duties upon luxuries and not upon necessities; if we are not here to safeguard the fruit trust, the steel trust, the oil trust, and every other trust, then I appeal to Senators, and especially to the apostles of protection, to vote for this modest duty on bananas, which can hardly be transferred to the consumer. Tap this golden stream of revenue and turn it into the famine-stricken Treasury of this country.

Now, sir, I tender the issue whether or not we will impose a tariff on the products of the fruit trust. I ask for the yeas and nays on the question of agreeing to the amendment.

Mr. JOHNSON of North Dakota. Mr. President, of course it is entirely appropriate for those Senators not charged with responsibility to the country at this time, like the Senator from



Oklahoma [Mr. GORE] and the Senator from Maryland [Mr. RAYNER], to afford suitable diversion. We all enjoy it. But we are here engaged in a very serious business affecting the policy and the welfare of the country. We might as well accept the challenge on this item of bananas as on anything else.

The Republican party says to every man in every corner of the earth who has anything to sell that the American people wish to buy and which we ourselves can not produce in great abundance, "Come, and welcome; bring your wares with you free of duty, free of tax and hindrance of any kind, and sell them to our people just as cheaply as you can." That is something fundamental. There is no difference between us as to the amount of money we should raise by the tariff. That is not in dispute. But the difference is right here in the free list as to what things shall come in free and what things shall bear a duty.

The doctrine that the tariff is a tax and is added to the price of the article, and is paid by the consumer in every case, is an absolute fallacy, except as to such things as bananas, Brazil nuts, tea, coffee, india rubber. In all those instances the tariff would be a revenue tariff and would be added to the price of the article and be paid by the consumer. And so we have none of it in the Republican policy. Do you tell the American people seriously that a duty on potatoes, for instance, of 45 cents a bushel, which was placed here Saturday, will add 45 cents to the price of every bushel of potatoes? It is too simple for argument. Nobody believes that. And of corn and wheat the same thing is true. We never have claimed that a duty on those articles would raise the price by the amount of the tariff. That is the teaching of our opponents. It is too simple for argument. There is not a word of truth in it.

Senators talk about the tariff raising the cost of living. This amendment would raise the cost of living. A banana is a bread fruit. It has almost the same chemical elements as wheat bread. A duty on bananas or tea or coffee would necessarily be added to the price of the article. It would be a revenue duty. We have none of those industries in our soil and climate. We can not produce them. We can not protect them. So we Republicans never place a cent of duty on anything of that kind. Take those things we can produce in great abundance; the tariff does not affect the price of those articles, because we control the market.

Take, for instance, a meal, an expensive meal, too; a good meal. Essentially the tariff does not weigh upon any article that is necessary to put upon the American table. Let us set a table. The first course is soup. We will have oyster soup, ox-tail soup, turtle soup, a great variety of soups. We have the ox tail, we have the oysters, we have the turtles. It is not necessary to import them. The tariff can not reach them.

The next course will be fish. Of course, if you insist on foreign fish that do not swim in our waters, you will have to pay a duty, but I am not speaking of those luxuries; they are for the people who insist on them. We can put on that table shad, and black bass, and salmon, and whitefish, and lake trout, and mountain trout, and sunfish, and whales—a great variety of fish good enough for the ordinary citizen—and there is not a cent of duty on any of them.

Mr. RAYNER. I should like to ask the Senator if there is any duty on snakes?

Mr. JOHNSON of North Dakota. I think not, unless they would be covered under the duty on eels adopted on Saturday. Let that pass.

Then, we will take game as the next dish in this course dinner. Of course, if you are so extravagant as to insist on foreign game, we shall perhaps see next winter on the Christmas bill of fare of our expensive hotels, and you can get served up, rhinoceros roast or hippopotamus potpie or pickled elephant's feet. If you insist on those things, of course you will have to pay a duty on them; but for the plain ordinary American citizen we will have elk, and deer, and grouse, and wild geese, and wild ducks, and quail, and partridge, and venison—a nice variety of game. I do not care what the duties are, we need not import that. There is no way for the tax gatherer to get between the hunter and the guest at the table.

Then, we will pass on to the solid dishes like meats. Is it necessary to pay a duty on the meat that the poor man or the wealthy man, the peasant or the prince, eats? Not at all, unless he insists upon shipping in something that can not be produced in this country. Then, it is on the free list. Here we have roast beef and mutton stew and ham and a great variety of meats, plenty of them, good and cheap, with not a cent of duty on any of them.

When it comes to fruits, bananas, and Brazil nuts, and everything of that kind, that we can not produce, they are on the free list under the Republican policy; and those things that

are dutiable for the protection of our industries we do not need to ship in. I will put on that table apple pie and blueberry sauce, and peach brandy, if necessary, and strawberries and raspberries and a great variety of fruits of our own production, and there is not a cent to be paid to the tax collector.

In the same way I could go through the clothing schedule. Take, for instance, silk, the most extravagant article in the clothing schedule. We were dependent only a few years ago upon France and Germany and Japan for silk. Now we are the greatest silk-producing country in the world. Our nearest competitor is France. Last year they used \$9,000,000 worth of raw silk, and we used \$13,000,000 worth of raw silk. How do we do that? Well, I will tell you how we do it. We do it under Republican policy by building up home industries, by admitting free of duty everything that we can not produce in great abundance, and raw silk is one of the things.

We can in the South produce raw silk. The mulberry tree will grow in South Carolina, Florida, and some of those States, but to take care of those silkworms you must have cheap labor, and the faithful hands of children and women who will do the chores, who will care for the silkworm at 25 cents a day. We do not want any American woman or child to work for 25 cents a day. So under all the parties, Democrats as well as Republicans, we have allowed the raw silk to come in free; but under the ægis of protection we have built up the greatest silk-manufacturing industry in the world. You need not pay a cent of duty on silk; you ship it in free of duty and manufacture it at home, and keep both the silk and the money at home.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on agreeing to the amendment proposed by the Senator from Oklahoma [Mr. GORE]. The amendment will be stated.

The SECRETARY. On page 84, at the end of paragraph 273, it is proposed to insert the following words:

Bananas, 6 cents per bunch.

The amendment was rejected.

The PRESIDING OFFICER. The paragraph will be agreed to, without objection. The next paragraph passed over will be read.

The SECRETARY. Paragraph 275, pineapples.

Mr. ALDRICH. At the request of several Senators, I ask that that paragraph may go over.

The PRESIDING OFFICER. Is there objection to the paragraph going over?

Mr. TALIAFERRO. What was the request?

Mr. ALDRICH. At the request of several Senators, I ask that the paragraph on pineapples may go over.

Mr. TALIAFERRO. I do not know of any Senators who are more interested in this paragraph than the Senators from Florida, and I think neither of them has asked that it be passed over.

Mr. ALDRICH. I did not say they had.

Mr. RAYNER. I wish to ask the Senator from Rhode Island a question. Would it not be possible to take up the paragraph to-day? Is there any reason for passing it over? We would not know for what period it is to be passed over, and it would keep us waiting. The paragraph might come up at a time when those interested are absent.

Mr. ALDRICH. Two Senators who are not now in the Chamber asked me to have it passed over as they wanted to make some examination and they had not the data they desired. That is all I am willing to say. It can go over for a short time.

Mr. RAYNER. May I ask the Senator from Rhode Island whether the Senators are in the building or about the Chamber?

Mr. ALDRICH. I can not say whether they are in the building or not. They are not here.

Mr. RAYNER. The reason I speak of this is that unfortunately the Senators from Florida and the Senators from Maryland are on opposite sides of this question, and we would like very much, as we are the two contending parties, to have it disposed of, now that it has been reached regularly.

Mr. TALIAFERRO. That is my wish.

Mr. RAYNER. It is possible that if we commence it, there are three or four speeches or addresses to be made on it. It will take two or three hours to dispose of the paragraph I think.

Mr. ALDRICH. I have no objection to having the discussion go on, if Senators desire to have that done.

Mr. RAYNER. If the Senator will permit that, then, if the other Senators are not present, it can go over.

Mr. SMITH of Maryland. If the matter is going to be decided, I do not see why the discussion should not proceed. It will take some time.

Mr. TALIAFERRO. I have sat in this Chamber for two or three days expecting this paragraph to be reached and to be disposed of when it was reached. I asked the Senator from

Rhode Island, in charge of the bill, several days ago if he intended to go right through the fruit schedule, and he assured me that he did. If there is any real reason for the delay, I of course do not want to insist upon taking up the paragraph now, but my understanding is that the Senators from Florida and the Senators from Maryland are those interested, the Senators from Florida on one side and the Senators from Maryland on the other, and they desire to have the matter disposed of. I submit that unless there is some real good reason for the delay, the paragraph ought to be taken up, as it has been reached. I hope the Senator from Rhode Island will not object to taking up the paragraph and disposing of it at this time.

The PRESIDING OFFICER. Upon objection, the paragraph is before the Senate, and the Secretary will read it.

Mr. ALDRICH. I have no objection to the Senators going on with the discussion, but I do not intend to have it disposed of until the Senators who made the request of me shall be present.

Mr. CULLOM. We had better let it go over, then.

Mr. TILLMAN. We had better let the whole thing go over.

Mr. ALDRICH. I think we had better let it go over, and I will confer with the Senators from Florida and Maryland as to the time it is to be taken up.

Mr. RAYNER. I want to be understood about it. I have no objection whatever to accommodate any Senator to have the paragraph go over. I have no particular reason for taking it up now.

Mr. ALDRICH. I will confer with the Senators from Florida and the Senators from Maryland before it is taken up, so as to give them full notice to be present.

Mr. TALIAFERRO. There will be no unreasonable delay, I hope, about the matter.

Mr. ALDRICH. There will be no unreasonable delay about it, I assure the Senator from Florida.

The PRESIDING OFFICER. The paragraph will be passed over.

Mr. ALDRICH. On page 80, line 1, I ask to take up paragraph 258, for the purpose of making an amendment reducing the duty on dried pease from 30 cents a bushel to 25 cents a bushel.

The PRESIDING OFFICER. Without objection, the vote whereby that paragraph was agreed to will be reconsidered. The Senator from Rhode Island offers an amendment, which will be read.

The SECRETARY. On page 80, line 1, before the word "cents," strike out "thirty" and insert "twenty-five," so that if amended it will read:

Pease, dried, not specially provided for in this section, 25 cents per bushel.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended, without objection, will be agreed to. The Secretary will read the next paragraph passed over.

The SECRETARY. On page 85, paragraph 280, bacon and hams. Mr. BACON. When that was reached before, I asked that it be passed over, as I think the Record will show.

Mr. DICK. Before we leave the fruit schedule, I should like to offer an amendment to paragraph 271.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 271, page 84, line 2, after the word "pound," insert the words "specially prepared for the consumer by capping, stemming, wet or dry cleaning, one-half cent per pound additional."

Mr. ALDRICH. I suggest to the Senator from Ohio to allow that to be printed, and the committee will take it up and make an examination. I am not sure what the effect of it will be.

Mr. DICK. Very well.

The PRESIDING OFFICER. The amendment will go over. The next paragraph passed over will be read.

The SECRETARY. Paragraph 280:

Bacon and hams, 5 cents per pound.

Mr. BACON. I am opposed to this increase in the rates, when it is acted upon. I am not particular about having it brought up now.

Mr. ALDRICH. The committee thought this was a proper amendment to make. If the Senator has objections to it, I shall be very glad to hear them.

Mr. BACON. The Senator prefers to go on with it now?

Mr. ALDRICH. I would prefer to do so, if the Senator is willing.

Mr. BACON. If the Senator has anything else to occupy the Senate for fifteen or twenty minutes or half an hour, I prefer to have it go over for a little while.

Mr. ALDRICH. Does the request apply to paragraph 280 alone?

Mr. BACON. Yes.

Mr. ALDRICH. We might take up the other paragraphs and take up these later, at the convenience of the Senator from Georgia.

Mr. BACON. I will be very glad if the Senator will do so.

The PRESIDING OFFICER. Without objection, paragraphs 280 and 281 will be passed over for the present.

The SECRETARY. The next paragraph passed over is on page 86, paragraph 287. The committee proposes to strike out the paragraph as printed in the House bill and to insert a new paragraph, as follows:

287. Chicory root, raw, dried, or undried, but unground, 1 cent per pound; chicory root, burnt or roasted, ground or granulated, or in rolls, or otherwise prepared, and not specially provided for in this section, 2½ cents per pound.

Mr. BACON. I ask the Senator from Rhode Island also to permit the item as to lard to be passed over at the same time.

The PRESIDING OFFICER. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

The SECRETARY. The next paragraph passed over is paragraph 288, cocoa or cacao, crude, and leaves and shells of. The committee proposes to strike out, after the numerals, the following:

Cocoa, or cacao, crude, and leaves and shells of, 3 cents per pound; chocolate.

And to insert the word "chocolate," with a capital "C."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. In line 18, after the word "pound," the committee proposes to strike out "five" and insert "two," so as to read:

Valued at not over 15 cents per pound, 2½ cents per pound.

The amendment was agreed to.

The SECRETARY. In line 20, after the word "pound," the committee propose to strike out "five" and insert "two," so as to read:

Valued above 15 and not above 34 cents per pound, 2½ cents per pound and 10 per cent ad valorem.

The amendment was agreed to.

The SECRETARY. In line 22, after the word "pound," the committee propose to strike out "seven" and insert "five," so as to read:

Valued above 24 and not above 35 cents per pound, 5 cents per pound and 10 per cent ad valorem.

The amendment was agreed to.

The SECRETARY. On page 87, line 3, before the word "cents," strike out "nine" and insert "five," so as to read:

Powdered cocoa, unsweetened, 5 cents per pound.

The amendment was agreed to.

Mr. ALDRICH. I offer a further amendment to the paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the bottom of page 86 and the top of page 87 strike out the following words:

The dutiable weight of the foregoing merchandise shall include all coverings, except plain wooden, but the dutiable value shall include all coverings, including plain wooden;

And insert the following:

The weight and value of all coverings other than plain wooden shall be included in the dutiable weight and value of the foregoing merchandise.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. ALDRICH. On page 87, in paragraph 291, the committee move to strike out "twelve" and insert "ten," in the twelfth line, and in the same line to strike out "eight" and insert "six."

The SECRETARY. Paragraph 291, page 87, line 12, before the word "cents," strike out "twelve" and insert "ten," so as to read:

Salt in bags, sacks, barrels, or other packages, 10 cents per 100 pounds.

The amendment was agreed to.

The SECRETARY. In line 12, before the word "cents," strike out "eight" and insert "six," so as to read:

In bulk, 6 cents per 100 pounds.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

The SECRETARY. The next paragraph passed over is paragraph 292, starch, made from potatoes, 1½ cents per pound; all



other starch, including all preparations, from whatever substance produced, fit for use as starch, 1 cent per pound.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The SECRETARY. The next paragraph passed over is paragraph 293, dextrine, burnt starch, gum substitute, or British gum, 1½ cents per pound.

Mr. ALDRICH. I offer an amendment to that paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 88, line 7, after the word "dextrine," insert "dextrine substitutes, soluble starch, or chemically treated starch."

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

The SECRETARY. The next paragraph passed over is paragraph 294, spices. The committee proposes to strike out all of the paragraph as printed in the House text and to insert a new paragraph, as follows:

294. Spices: Mustard, ground or prepared, in bottles or otherwise, 10 cents per pound; capsicum or red pepper, or cayenne pepper, 2½ cents per pound; sage, 1 cent per pound; spices not specially provided for in this section, 3 cents per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended is agreed to without objection.

The SECRETARY. The next paragraph passed over is on page 94, paragraph 309, "All mineral waters," and so forth. The committee proposes to strike out the paragraph as printed in the House text and to insert a new paragraph, as follows:

309. All mineral waters and all imitations of natural mineral waters, and all artificial mineral waters not specially provided for in this section, in green or colored glass bottles, containing not more than 1 pint, 20 cents per dozen bottles. If containing more than 1 pint and not more than 1 quart, 30 cents per dozen bottles. But no separate duty shall be assessed upon the bottles. If imported otherwise than in plain green or colored glass bottles, or if imported in such bottles containing more than 1 quart, 24 cents per gallon, and in addition thereto duty shall be collected upon the bottles or other covering at the same rates that would be charged thereon if imported empty or separately.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

The SECRETARY. Schedule I, cotton manufactures.

Mr. SMITH of South Carolina obtained the floor.

Mr. ALDRICH. I will say to the Senator from South Carolina that it is not my purpose to take up the cotton schedule to-day. I would be glad if we could dispose of all the amendments between that now pending and the cotton schedule, to go—

Mr. SMITH of South Carolina. I wish to speak not only on the cotton schedule, but my remarks will be pertinent to some paragraphs that we have passed over. I will not consume very many minutes of the time of the Senate.

Mr. ALDRICH. Then, I have no objection to the Senator going on now.

Mr. SMITH of South Carolina. I should like to submit my remarks on this schedule.

Mr. ALDRICH. On page 92 there is one amendment which was passed over that I should like to have acted on.

Mr. SMITH of South Carolina. Very well.

Mr. ALDRICH. On page 92, line 24, after the word "porter," the word "stout" and a comma should be inserted.

The SECRETARY. Paragraph 305, after the word "porter" and the comma, insert the word "stout" and a comma, so as to read:

Ale, porter, stout, and beer.

The amendment was agreed to.

The PRESIDING OFFICER. The paragraph as amended will be agreed to, without objection.

Mr. ALDRICH. I will say that after the Senator from South Carolina concludes his remarks I will go back and take up the paragraphs which have been passed over at the suggestion of the Senator from Georgia.

Mr. SMITH of South Carolina. Mr. President, I will state to the Senator from Rhode Island that as we go back we will reach one paragraph that is included in the remarks that I am going to make which will make it pertinent to the question now under consideration.

Mr. President, I was glad this morning to hear the Senator from New York [Mr. Root] make the remark that the lemon industry of California had passed the period of its infancy and

had come into the period where it is now able to take care of itself and does not need any further advance in protective duties.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment.

Mr. SMITH of South Carolina. Certainly.

Mr. NELSON. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The absence of a quorum having been suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crawford	Gallinger	Plles
Bankhead	Culberson	Gamble	Rayner
Borah	Cullom	Hale	Root
Bourne	Cummins	Heyburn	Scott
Bradley	Curtis	Hughes	Shively
Brandegee	Daniel	Johnson, N. Dak.	Simmons
Briggs	Depeew	Johnson, Ala.	Smith, Md.
Bristow	Dick	Jones	Smith, Mich.
Brown	Dixon	Kean	Smith, S. C.
Burkett	Dolliver	La Follette	Smoot
Burnham	du Pont	Martin	Sutherland
Burrows	Elkins	Money	Taliaferro
Burton	Fletcher	Nelson	Tillman
Clark, Wyo.	Flint	Overman	Warner
Clarke, Ark.	Foster	Page	Warren
Clay	Frazier	Penrose	Wetmore
Crane	Frye	Perkins	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum of the Senate is present. The Senator from South Carolina will proceed.

Mr. SMITH of South Carolina. Mr. President, as I was saying, I was glad to hear the Senator from New York say that there was one industry which had progressed far enough to need no further protection. I have been interested in hearing the discussion on this bill, affecting, as it does, all the people of the country, and the remarks made that we had such great prosperity under a high protective tariff. I was interested in studying from whom came most of these pleas for protection and from whom came the most dissent.

In view of the fact that so much has been said in this Congress in reference to the prosperity that has come as a result of the high protective tariff, it might interest us to know who got it and where it came from, because it goes without saying that when wages are high, goods high, that somebody has had to pay for it, and that when men, under the operation of an artificial law, have become prosperous, that somebody had to pay for that prosperity. If all the people in this country had been protected alike, and as you raise the price of the finished product you in like manner have raised the price of the raw material, there would have just been a swapping of dollars, and the relative wealth of everyone would have remained the same.

Now, an inquiry into some of the facts may reveal who have paid these bills without a relative return for the extra amount they have had to pay by virtue of the higher price. You take the 11 cotton-growing States last year, and they produced \$716,352,265 worth of raw cotton. They produced \$90,000,000 worth of cotton seed. This cotton they had to put upon the market at a price fixed by Liverpool. That price, as a matter of course, was fixed in Liverpool upon the basis of the cost of labor in Europe and the price at which they sold the finished product. Therefore the whole American cotton crop is sold upon the basis of free trade. So that in the cotton-growing States, according to the census figures of 1900, there are engaged in agricultural pursuits 4,000,000 people, and their average earnings for the year is \$133. This is the per capita earning for those over 10 years of age engaged in the production of cotton. In the aggregate those producing the cotton and cotton seed have about \$800,000,000 to spend, or about \$133 per capita.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to his colleague?

Mr. SMITH of South Carolina. I do.

Mr. TILLMAN. Will the Senator give us the source of his figures?

Mr. SMITH of South Carolina. The tables which I submit substantiating these figures were made up by experts from figures furnished by the statistical department here.

Mr. TILLMAN. I only wanted to know for the reason that unless we have the source of the Senator's information, we should hardly know what value to put upon it.

Mr. SMITH of South Carolina. These tables were figured out by experts from tables submitted from the statistical department of the Government.

This is the principal cash crop of these cotton-growing States. Taking the customs duties on articles imported, such as are used on the farms, there are consumed, according to approximate statistics, \$66,357,000 worth. Taking the consumption of domestic

manufactured goods, the proportionate part of the South is \$2,885,000,000. The indirect tax paid on this consumption due to protection is \$885,000,000. Now, this is for the entire South, regardless of the work engaged in. Dividing this by the population of the South, the taxation per capita due to these duties paid on domestic and foreign articles is \$61, in round numbers. Deducting this \$61 from the \$133, there is left \$72, representing the actual value received by the laborer for his year's work. In other words, he could purchase for \$71 in Europe, where the price of the raw material is fixed, what he would have to pay \$133 for here. Therefore, out of the \$800,000,000 produced by the cotton growers of the South practically \$400,000,000 of it goes into the coffers of the protected interests of this country.

The Senator on the other side of the Chamber from North Dakota [Mr. McCUMBER] said the other day that a golden flood had risen under the benign influence of the protective system of America, and having flooded the East first, swept on to the South, from the South to the Rocky Mountains, and from the Rocky Mountains down over the arid plains of the West, until it reached the sun-baked regions, where it built canals for artificial irrigation, because there was such a surplus of cash that it was a problem what to do with it. Where did this surplus come from? Did it come from protection?

I hold in my hand the report of an expert on the proceeds of the cotton crop. From the unprotected cotton fields of the South in the last ten years, in the form of European gold, there have come \$3,186,537,000. The Senator said that it came as the proceeds of the increased wealth under the influence of protection, and he also said that there were \$5,000,000,000 of it. Three billion dollars comes from that source that has to compete with the pauper labor of Europe. From the South has poured this stream of gold, and I am a little inclined to think that, as the doctors say, their stimulant has been local but not diffusive, as a good drink of whisky would be, and that they have been misled by the prosperity that has broken out in spots at our expense.

The accompanying table, marked "Exhibit A," gives the bales produced per State, the number of farms, the population over 10 years of age engaged in agricultural pursuits, the number of bales per farm, and the amount per capita received in return for the cotton. The table is from the statistical department. I wish to submit it without reading and to have it printed with my remarks, together with Exhibits B and C, to which I shall now refer.

Exhibit B gives the proportional part, according to the schedule as given herein, paid by the cotton-growing States for textiles and manufactures thereof; leather, and manufactures; sugar, tobacco, iron and steel; earthen, stone, china, and glass ware; chemicals, drugs, and dyes.

The table marked "C" gives the amount paid by each State for duties and indirect tax and the per capita paid.

The PRESIDING OFFICER. Without objection, permission to print the tables referred to by the Senator will be granted. The Chair hears none.

[The exhibits referred to will be found at the close of the speech of Mr. SMITH of South Carolina.]

Mr. SMITH of South Carolina. The same is true in reference to the wheat, corn, and oats produced in this country. I want to show by these figures where this enormous stream of gold has come from that has made this wonderful prosperity in spots.

The accompanying table, marked "D," gives the production of cereals in this country; and the total value on the farm of the corn, wheat, oats, and cotton for last year amounts to \$3,025,906,000; and the 12,000,000 laborers engaged in the production of this vast wealth—the basis of our export trade, the source of our greatest income from abroad—are absolutely without protection, in that the surplus fixes the price of the crop, and therefore is sold upon the basis of free trade. Upon this raw material, produced by this vast army of laborers, is based the wealth and prosperity of this country. And yet they get absolutely nothing in return for the duties they have to pay on the protected American articles, and have not, nor do they want, consideration from the Government, only to see to it that they shall not be required to pay into the pockets of others what they have honestly earned.

It is absolutely idle to talk about the protective tariff being a benefit to the cotton and grain growers of America. Time was when it may have been the duty of every patriot to sacrifice a part of his earnings in order to build up and put upon a secure footing those industries which were essential for the comfort and well-being of the population in time of war; but the time never was, nor ever will be, when it is justifiable to protect one part of the people of this country at the expense of the

other for the specific purpose of guaranteeing a profit to one class at the expense of and regardless of another class.

To get a clear idea to what extent we have come to ignore this class of our citizens: A manipulator of the wheat market, having cornered the market, put the price of wheat to where it was beginning to put the wheat grower of the West (in the price of his wheat) upon something like a parity with the protected manufacturer in the price of his wares. What was the result? The press of the country and the consumers of bread, who did not produce the wheat, were clamoring for legislation to put a stop to this unholy combination of brain and capital that was making the wheat grower of the West, in part, a beneficiary of the proceeds, while at the very same time in the capital of the United States—in the Senate of the United States—the lawmakers of this country were formulating and putting into the form of law those enactments that were to put the price of shoes, clothes, farming implements, and the other necessities of life, in so far as these necessities were manufactured, at a price far beyond the return the wheat grower was getting for his wheat.

The Department of Agriculture, to which millions are appropriated, is spending its brain and its ingenuity and its capital, in so far as it affects the cotton grower of the South, to teach him how to grow more cotton at a cheaper price and furnish a cheaper raw material for the manufacturer, while, at the same time, the Congress of these United States is attempting by legislation to raise the price of the finished article to guarantee a profit to the manufacturer.

The whole tendency of this legislation has been to cheapen the raw material and raise the price of the finished article, thereby giving to the protected manufacturer a double advantage, lessening the price of what he has to buy and raising the price of what he has to sell.

I am not pleading for, nor shall I vote for, protection for the raw material. I believe a thing is worth what it will bring in the open markets of the world. What I shall vote against is the iniquitous and indefensible system of legislating a profit by artificial methods. I believe that American skill and the wonderful mechanical devices operated by steam, water, and electricity, our nearness to the source of supply for the raw material, make it possible for us to compete with the nations of the world. In witness of this and in proof of this, in reference to cotton manufactures, I want to quote from a speech delivered by Mr. W. Irving Bullard, of Danielson, Conn., himself a great cotton manufacturer, in Boston, April 16, 1908. He compares the English manufacturer and the American manufacturer, and gives us a very wholesome insight into some things which, perhaps, we might not otherwise have gotten. I want every Senator on this floor to hear specifically what Mr. Bullard says as to cotton manufacturing, to see if we can not arrive at some conclusion as to where this enormous profit that has been made came from and why and where it went. He says:

A summary of 100 cotton mills in Oldham district, in England, shows the following remarkable facts: Capital invested, \$30,501,230; net earnings, \$6,605,785; average earning per mill, \$66,055; dividend, 15½ per cent.

The average dividend disbursements for these 100 mills was 15½ per cent, while the net earnings show an average of 35½ per cent.

This shows the earnings of the industry in England and gives a fairly correct idea of the value of the cotton industry in Europe. It must be remembered that this cotton has to be bought by an agent at the local station in the cotton belt, transported from the local station to the compress, from the compress to the wharf, paying the railway freight; the commission to the handler, loaded in the vessel, paying the loaders; the oceanic freight, the local insurance, marine insurance, brokerage commissions, country damage, representing, in all, a cost of about \$7.50 a bale. This is amply sufficient to offset any difference in wages between the American laborer and the foreign laborer if, indeed, there is any appreciable difference.

In confirmation of the fact that we do not need the protection given to the cotton-mill industry of this country, the same authority, speaking before the assembly of spinners last April, made this statement:

Cotton-mill stocks are attractive investments because of the stability of market value, large dividend returns, liberal margins of earnings over dividends, and high ratio of liquid assets to capital stock. The seasoned textile stocks compare favorably, from every market view point, with the better class of railroad and industrial stocks, and in many cases, the book value and quick assets back of the "textile" place it in the same class with the strong industrial and railroad bonds, without a limit on the invested returns as in the latter security. Cotton-mill stocks are a first and only lien on an industry of great economic power producing one of the fundamental necessities of life, capable of limitless expansion. These securities are inherently safe, and while the dividend returns may fluctuate from year to year, because of the extra dividends paid during the periods of prosperity, the average annual



dividend returns will be vastly more than could be secured from any other form of conservative investment. Cotton-mill stocks are conservative investments because of ample margin of earnings over dividend requirements.

Hear him again:

The general public has no realization of the economic development of the textile industry during the past century. Cotton manufacturing differs from any other textile and in a greater degree from the other fundamental industries, because of the relatively low ratio of the price of the raw material to that of the manufactured product.

This expert then goes on to speak of the marvelous development of motive power, the immense cheapening of power; as this motive power developed, the price per unit decreased. He traces it from the human to water power, from water to steam, then steam augmented by water, then to the electrical development, then the combination of the three until he comes to the following conclusions:

The cotton industry is a tremendous opportunity, and it is within our power to develop this opportunity. It is on the threshold of the greatest economic development in the history of the country, and if we put our shoulders to the wheel we will be manufacturing the greater portion of production of the raw material and be supplying the world markets with the finished products within twenty-five years. We can do this because our machinery is as good as any in the textile world; we have the advantage of the cotton field within our own boundaries, and there is reason to expect a greater efficiency of labor from our operatives.

Now, I would have the Senate to mark this paragraph in particular. The cry has been on this floor that we must reserve and protect the American market for the American manufacturer, and here this member of the National Association of Cotton Manufacturers is prophesying that within twenty-five years, if the same rate of progress shall exist, that we shall be manufacturing the cotton goods of the world in spite of the so-called "pauper labor" of the Orient and the cheap labor of Europe, and in spite of the fact that it has been repeatedly said that the transportation charges do not offset the difference between the wages of foreign and domestic labor. Europe fixes the price of our raw cotton; and if, within twenty-five years, in spite of her sharp competition, we can manufacture the cotton of the world and sell cotton goods where Europe is now manufacturing and selling them, what need have we now of the protection that is thrown around our cotton mills, and

why the difference in price between cotton goods in America and cotton goods in Europe? If America is to preempt the markets of the world, she will have to meet the European prices, and in meeting European prices she will have to compete with European labor, because she can be guaranteed no protection in the markets of the world. And why should there be a desire to preempt the foreign markets if there is no profit?

Perhaps a reason for this prophecy may be found in the following facts. Quoting from the same author in the same speech, he says:

The liberal dividend policy of leading cotton-mill corporations in New England should be the first consideration to the prospective investor. During the past eight years, which period constitutes an economic cycle in our industrial welfare, such seasoned textile stocks as Bates paid an average annual dividend of 16½ per cent; Dartmouth, 19½; Laurel Lake, 23½; Pepperell, 19½; Troy, 23½; Union, 22½, and during this period have added a greater percentage to their surplus and working capital. A comparison of separate earnings over the dividend requirements of 10 cotton-mill stocks, with an equal number of high-grade railroad bonds and industrial preferred stocks, places the textiles in an enviable position.

Now, what these mills of New England are doing other mills can do, and should do, or quit the business. And these enormous dividends is where the evidence of our wonderful prosperity has gotten into the minds of certain Senators on this floor.

The cry has been that all this legislation is primarily for the laborer. I shall read, if the Senate will permit me, some of the reports of the leading mills, given to their association in open meeting. It may instruct us in the legislation that is now forthcoming on the cotton schedule:

Amoskeag: Date of incorporation, 1831; capital at present, \$5,760,000; surplus, \$3,720,691; debt, \$1,425,000; earnings per share, \$21.30; dividends, 1907, \$16 per share; total dividends through eight years, 126 per cent; average dividends, \$15.75; book surplus per share, \$64.50; par value, \$100.

I read another. Let us take the Pacific Mills:

Incorporated in 1853; capital, \$3,000,000; surplus, \$6,332,854; debt, none; earnings per share, \$55.00; dividends, 320 per cent; total dividends, 124 per cent; average dividends, \$19.75; book surplus, \$2,110.95.

I invite Senators to read the entire table of that class of mills making the finished goods in the New England States and earning a book surplus. I will just read the book surplus of a few—64, 112, 114, 33, 50, 56, 114, 180, 64.

Statistics relative to cotton-mill stocks as investments.

Name of company.	Date of incorporation.	Capital.	Surplus.	Debt.	Earnings per share, 1907.	Dividends, 1907.	Total dividends for eight years.	Average dividends for eight years.	Book surplus per share.	Capitalization per spindle.	Par value.
							Per cent.	Per cent.			
Amoskeag.....	1831	\$5,760,000.00	\$3,720,691.00	\$1,425,000.00	\$21.30	\$16.00	126	15.75	\$64.50	\$10.76	\$100.00
Androsceoggin.....	1860	1,000,000.00	1,123,864.00	16,559.00	24.91	10.00	75	9.37	112.38	13.93	100.00
Bates.....	1852	1,200,000.00	1,376,361.00	117,565.00	41.87	35.00	130	16.25	114.61	14.61	100.00
Border City.....	1880	1,000,000.00	333,598.00	500,000.00	37.50	23.50	119	14.87	33.35	12.51	100.00
Richard Borden.....	1871	1,000,000.00	502,174.00	541.00	32.62	20.00	101	12.62	50.21	10.37	100.00
King Philip.....	1871	1,500,000.00	851,765.00	150,431.00	25.65	6.00	168½	21.25	56.78	11.10	100.00
Dartmouth.....	1895	600,000.00	685,105.00	470,529.00	82.50	66.00	158	19.75	114.18	5.00	100.00
Dwight.....	1841	1,200,000.00	1,299,219.00	735,740.00	103.94	12.00	100	12.50	108.26	5.45	500.00
Great Falls.....	1823	1,500,000.00	960,000.00	338,608.00	21.33	12.00	117	14.62	64.00	11.36	100.00
Laurel Lake.....	1881	600,000.00	184,251.00	None.	28.24	14.00	190½	23.75	37.08	10.03	100.00
Massachusetts Cotton.....	1839	1,800,000.00	1,431,690.00	2,160,768.00	41.30	5.00	50	6.25	79.53	14.13	100.00
Lawrence.....	1831	1,250,000.00	787,000.00	500,000.00	25.27	8.00	122	15.25	62.96	12.50	100.00
Pacific.....	1853	3,000,000.00	6,332,854.00	None.	550.00	320.00	124	15.50	2,110.95	1,000.00	
Pepperell.....	1899	2,556,000.00	1,628,487.00	117,940.00	-----	12.00	158	19.75	63.71	10.27	100.00
Sagamore.....	1879	900,000.00	355,693.00	607,899.00	48.53	30.00	85	10.63	39.52	9.80	100.00
Troy.....	1814	300,000.00	474,294.00	2,816.00	335.00	67.00	189	23.62	794.90	6.31	500.00
Union.....	1879	1,200,000.00	584,044.00	None.	46.00	35.50	183	22.87	48.67	10.89	100.00
Whitman.....	1895	1,500,000.00	945,411.00	474,245.00	29.76	8.00	58½	7.25	63.02	11.35	100.00

\* In addition to which a 25 per cent dividend was paid.

For eight years average annual dividends for group 15.65 per cent.

† In addition to which a 100 per cent dividend was paid.

Mr. BEVERIDGE. Mr. President, will the Senator please state where these mills are located, so that we can see?

Mr. SMITH of South Carolina. I can give the list of them right here, and I will just read off a few:

Bates, Lewiston, Me.: Capital, \$1,200,000. Colored and bleached cotton goods.

Dartmouth, New Bedford, Mass.: Capital, \$600,000. H. Langshaw, president. Fine cotton goods, plain and fancy leno, jacquards.

Laurel Lake, Fall River, Mass.: Capital, \$600,000. N. Slade, president. Print cloths, wide goods, and odds.

Pepperell, Biddeford, Me.: Capital, \$2,566,000. James Longley, president. Sheetings, shirtings, jeans, and drills.

Troy, Fall River, Mass.: Capital, \$300,000. John S. Brayton. Plain cotton weaves, 36 inches wide, from print-cloth yarns.

Union, Fall River, Mass.: Capital, \$1,200,000. E. L. Anthony. Print cloths and wide goods.

This gives the list in detail.

Mr. BEVERIDGE. Will the Senator give, if he has it at hand, the earnings and dividends and profits of some of the southern cotton mills. I think it shows greater earnings.

Mr. SMITH of South Carolina. Yes; I am coming to that, and I will show you what they have done.

With all these wonderful dividends and earnings that I have read here before you, we are still legislating a higher duty, to put a reasonable profit on a 100 per cent dividend! What do you call reasonable? The man who produces the raw material has the munificent sum of \$71 with which to buy shoes and clothing. I want to be an American citizen. I want to love the flag. I want to love my country. But I warn the Senate to-day that the great voiceless mass of the underworld is being permeated by literature as never before in the history of mankind. The free rural delivery, the printing press that can print, fold, clip, and cut 10,000 copies of a great daily an hour, and spread it on the wings of steam and electricity to the four corners of the world, is the voice of God calling to his own; and the protected man who forgets his fellow will have an awakening according to the eternal laws of God's justice.

I am not afraid. All I am doing is to raise my voice now, so that when they shall come into their own they will acknowledge that I, in my feeble way, helped to bring about the day of equal rights to all and special privileges to none. I have studied these tables, and I fail to discover where they had divided the divi-

dends with labor. I want right here to challenge the stand-patters, who charge us with demagoguery. Who is the demagogue prating about protection to American labor? Listen to this: After having read these monstrous tables, which are the common property of all the American public, I have studied them closely, and I fail to discover where they had divided these dividends willingly with the much-beloved laborer. The fact is, that in this very same territory there have been strikes and rumors of strikes on the part of the operatives, because, when there was a temporary decline in the price of cotton goods or a rise in the price of the raw material, causing a slight loss of profit in the finished product, there has inevitably followed an attempt on the part of the mill owners, who have received through all these years these unusual dividends and this marvelous surplus, to cut down the wage of the laborer in order that the mill owners might suffer no loss in dividends or profits.

Is not that true? Is it not the history of the mill industry? Those of us who have the cotton and those of us who are interested in the manufacture of cotton know that is true. Why, in the name of reason and common sense, do you come into the Senate Chamber and prate about American labor, and get a law passed by which you can pour into the manufacturers' coffers millions of dollars, and then, when there is a threatened increase of the price of the raw material, in place of going into their pockets and giving it to this much-loved laborer, you manufacturers run back to the Senate and ask that the American people pay and insure you the same profit. And now the law is being invoked to exact from the American people a tax, not for the purpose of defraying the legitimate expenses of the Government, but for the purpose of guaranteeing a continuation of these inordinate profits to the manufacturer, regardless of the effect upon the producer of the raw material, the laborer, or the consuming public.

And now I will answer the question of the Senator from Indiana. He asked me about the profits of the southern mills. I want him to listen to an expression from a leading mill operator, a mill owner, the president of the largest number of mills, containing the greatest floor space, the greatest number of looms and spindles, and the greatest amount of capital.

A study of these figures convinces me—and ought to convince this Senate—of the truthfulness of a statement made to me by one of the leading manufacturers of the South, who declared to me that he believed it was right and just that the protective feature of the tariff on cotton goods should be entirely wiped out; that it was absolutely not needed to protect us against foreign invasion; and certainly not needed, in that it could not avail to protect us in the foreign market. He further stated that he believed that a new impetus would be given to the cotton-mill industry of this country if the tariff was removed and each domestic mill allowed to exist and prosper by virtue of the skill in management, the introduction of improved machinery, the proper financing.

Mr. LA FOLLETTE. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. SMITH of South Carolina. I do.

Mr. LA FOLLETTE. I should like to ask whether the manufacturer, from whom he is now quoting, is a manufacturer of the finer goods as well as of the other grades?

Mr. SMITH of South Carolina. I am glad the Senator asked the question, because he manufactures cotton from the coarsest yarns and the finest. He covers the whole scale.

This is his testimony, and in conjunction with his testimony let me read to the Senate the action of the American Cotton Manufacturers' Association, in convention assembled, at Richmond last week:

RICHMOND, VA., May 27.

The American Cotton Manufacturers' Association, with over a thousand active members, yesterday afternoon elected Lewis W. Parker, of Greenville, president. It was a high honor, but the members were eager to give the popular young Carolinian the highest place they had. The membership from the entire country represents 20,000,000 spindles and over six hundred millions of capital.

Mr. Charles K. Oliver was elected vice-president and Capt. Ellison A. Smyth, of Greenville, chairman of the board of governors. During the meeting Mr. D. A. Tompkins led the protective-tariff forces, while Lewis W. Parker made a winning fight against committing the association to a protective tariff. Mr. Parker's position was for tariff for revenue, with incidental protection, in line with the Democratic policy. Nine cities want the next convention. All have had a fine time and the convention has been very successful.

He was elected overwhelmingly by the American manufacturers of cotton goods, and yet we here in the Senate, over the protests of the righteous thinking and justly satisfied manufacturers, for a favored few in a favored section, propose to lay an additional burden upon the people.

This protection of the Government, giving such a margin of profit, has invited and brought into the cotton-manufacturing

business a lot of financial buccaneers and plungers, who, by the marvelous profits that could be figured, possibly on paper, put on foot impossible schemes, which have resulted disastrously to the milling industry of this country.

Had we been given free rein, with free raw material at our door, with the Appalachian system of mountains, 3,000 feet above sea level, with unlimited water power, and had we taken our brains, ingenuity, and skill and attempted to meet the conditions as they existed, we could have and we shall produce the clothing of the world, without fear of competition.

And what is true of the cotton industry is largely true of every other manufacturing industry. The failures that have occurred by virtue of improper financing and incompetent management have been set down as the result of foreign competition, and the Government is asked to raise the wall of protection so high that it will guarantee a profit to every unprincipled schemer and incompetent rogue that sees fit to enter the business.

Every little low-grade lead mine in the mountains of the West must be calculated in the cost of production and the protective price raised so high as to make it profitable to work it, while the long-suffering American people must foot the bill.

Every razor manufacturer and watchmaker, no matter how unskilled or rascally he may be, as long as he comes with the plaintive cry, "The American market for the American manufacturer," has the strong arm of the Government extended to him and a fabulous price fixed upon his wares, while the busy laborer in other than manufacturing pursuits, the merchant, the clerk, the farmer, and the busy workaday man, must pay a fabulous price for the watch that is to mark his hours of labor and the razor with which he keeps himself presentable. While the man who produces the food that the millions eat and the clothes that the millions wear has to go without the blessings of this glorious system, and is called upon to be proud of the fact that though he and his produce the raw material that ultimately produces all this wealth, yet he and his must go comparatively poor, hungry, barefoot, and naked in order that he may be able to point with pride to the colossal fortune that he and other suffering producers and consumers of this country have been forced by a kind Republican government to build up for others.

The attitude of these protected ones toward this class of the American population is very well voiced by Henry Clews, a statistician and cotton broker, who, speaking on the occasion of the meeting of the National Association of Cotton Manufacturers in Boston, gave utterance to these significant sentiments, which found a cheering response amongst his hearers:

The market for raw cotton has been handicapped by the depression of the cotton industry; and the efforts of the southern planters to advance the price very materially by holding it back instead of marketing it have failed, as they deserve to fail. Cotton is now lower than it was during the crisis, and about as low as at any time during the crop year, being 300 points, or 3 cents a pound, below the season's top notch. This decline was equivalent to \$15 a bale, or \$180,000,000 on a crop of 12,000,000 bales. So spinners and spot buyers in general have not for two years had so good a chance to purchase for summer or autumn delivery and advantageously cover their season's requirements as they had last month and this.

Do you not know, and do not all of us know, that if there had come a decline in the price of the finished article of the same per cent, we could not have walked these corridors, we could not have gotten into our committee rooms, for the clamor of those who produced the finished article to invoke the intervention of the Government to take the money out of the pockets of the people and to put it into theirs and to guarantee them their profits?

He is rejoicing, as this Senate seems to rejoice, when the producer of the raw material is forced to sacrifice his profit and give to the manufacturer the cheapest possible material, and, on the other hand, clamoring for the highest protection, giving the highest possible price to the finished product, going into hysterics over the American laborer, putting forth the specious plea that it is for his sake that this outrageous system is perpetrated; giving to the manufacturer billions that he is not rightfully entitled to under the plea that it is to increase the wage of the factory hand, while no word is spoken for the agricultural laborer or the consumer, and a smile of derision ripples the placid surface of the Senate whenever any man has the temerity to introduce a bill looking to the relief of that class of our citizens.

I heard the Senator from Georgia [Mr. BACON] introduce an amendment here, giving to the farmer who produces the wheat which you eat and the meat which you eat and the clothing which you wear, his tools and implements free of duty, and a smile of derision came over this Chamber, and it was voted down incontinently.

Mr. BACON. I do not desire to have any honor that does not belong to me. I voted for that amendment, but it was offered by the Senator from Mississippi [Mr. McLAURIN].



Mr. SMITH of South Carolina. I will make the proper correction. It was the Senator from Mississippi [Mr. McLAURIN].

Mr. BACON. I fully agreed with him and voted with him, but he is entitled to the honor, as he offered the amendment.

Mr. SMITH of South Carolina. I am glad of the correction.

The monstrous injustice of this bill is made manifest in two particulars. This bill declares that it is for the purpose of encouraging American industry and guaranteeing to them a reasonable profit, while, on the other hand, in sharp contrast with it, in the identical same bill in which this astounding statement is made is incorporated a tax on the very fertilizing element upon which the agricultural laborer is dependent for the enrichment of his soil. In spite of the fact that he can not be protected, that he is an American citizen, that he produces that upon which the whole superstructure is dependent, he is denied the pitiful privilege of protection against an additional price on the fertilizer he buys, which is his raw material. This ammonia, or this nitrogenous element, that is so costly and so essential in the production of this crop must be taxed because a few coke and gas companies who, already protected and making their millions, can not be denied the privilege of making other millions out of that which the Government ought to see that the farmer gets at the lowest possible price.

Great Britain, Germany, and France could import into this country treble or quadruple the amount of sulphate of ammonia that is brought in were the duty removed. In 1908 we imported 34,224 tons of this ingredient, paying a duty of \$6 a ton, or \$205,000. This sounds like a very small item in the vast fertilizer bill; but when it is taken into consideration that we could have imported 100,000 tons or 200,000 tons at a saving of \$6 a ton, the matter grows; and when it is taken into further consideration that the only other element competing with this as an import article is Chilean soda, and that the price of this soda was fixed by a combination, who, knowing practically they had no competitor, and who imported last year into this country 330,000 tons of soda at \$6 more per ton than it would have sold at had this ammonia been introduced free, the matter still further increases. And when it is taken into consideration that this sulphate of ammonia and nitrate of soda, if both were introduced free, would have a powerful effect upon the domestic source of nitrogen—namely, dried blood and tankage—of which there was produced last year 170,000 tons, it will be seen at once the vast significance of this Government assuming and maintaining the policy of absolutely free fertilizer materials. The Secretary of Agriculture, the president of the National Cotton Association, and the president of the Farmers' Educational and Cooperative Union all indorse the absolute free raw material.

In comparison with the protection given to other and comparatively insignificant industries, it does look as though this small boon might be given to the vast army of agriculturists who produce the basis of the Nation's wealth. When it is taken into consideration, according to the table I have submitted, that there was over 4,000,000,000 bushels of grain produced in this country last year, taking out of the soil a pound of nitrogen to the bushel; when there was more than 63,000,000 tons of hay, taking out an average of 10 pounds to the ton; 698,000,000 pounds of tobacco, taking out 2,000,000 pounds; 298,000,000 bushels of potatoes, taking out 2 pounds to the bushel; 13,000,000 bales of cotton, taking out 30 pounds to the bale, some idea of the exhaustion of our soil and the necessity of fertilizing it will be made apparent, and every effort used to cheapen the price of the product. Not only is this true, but the poorer the land the greater the need for fertilizer and the less return to the laborer. Therefore the man that needs it most is the man that can afford less to pay an extra price.

So rapidly is the exhaustion of the fertility of the wheat fields, so great is the increased population and the necessarily increased consumption, that unless something can be done to increase the fertility, and thereby increase the yield per acre, it is only a question of a few years until the exportation of wheat shall cease.

Let me say that upon the cotton grower of the South depends the balance of trade of America. In 1907, when the crisis came, had it not been for the daily millions poured into New York in exchange for the forward shipments of cotton the panic would have swept over this country with far more disastrous power. The balance of trade held the credit on our side of the ledger and saved America from a disaster that no man can calculate.

To the cotton grower of the South cheap fertilizer is a crying necessity, for the reason that to the cost of fertilization is now being added the expense of fighting the boll weevil, and while the Government is spending hundreds of thousands of dollars in attempting to help him find some means of destroying this pest and averting the world-wide disaster that must inevitably come from this continued spread and ravage, we are assuming, and

have assumed, the contradictory and ridiculous position of laying a duty on such a high-grade fertilizing ingredient, making the farmer pay \$6 a ton more in order to give a little additional profit to an already prosperous protected industry.

Not only is this true in reference to the fertilizer ingredients, but the southern cotton farmer must pay a duty on his bagging and ties in order to add to the profits of the great steel trust on the one hand, and to build up a bagging industry on American soil, where not one pound of the raw jute material is produced.

A Senator on this floor stated this morning that the policy of the Republican party was to give to the American people free whatever they needed and did not produce. Will the Senator vote for that when the time comes?

Mr. JOHNSON of North Dakota. Yes.

Mr. SMITH of South Carolina. That is good. There is not one pound of jute produced in America, and yet because a coterie of men get together and want to form a bagging trust and wring from the southern farmers still further, our protective Government steps in and grants them the privilege.

A great argument used during the discussion of this tariff has been to save the American labor from competition with the pauper labor of Europe. And here, in this instance, the poorest paid and yet the most productive labor asks the privilege of getting the benefit of this oriental pauper labor, and it is denied them, because the American bagging trust wants to put a few dollars in its pocket.

In India, where jute is produced, the pauper labor can supply the mills and manufacture a form of bagging that is doubly as good as the salted stuff that comes from the bagging trust, which will not hold a hook, and can be shipped into this country at a less price and give the American labor the benefit of the India pauper labor. You vote for the importation of free bagging, or never again stand on this floor and plead that you are legislating for the purpose of protecting American labor from the pauper labor of Europe.

There can be no possible reason why 5,000,000 laborers should be taxed to support an industry such as the American bagging trust, when the bagging they produce could be produced by the pauper labor of Europe at a much less price, and the American laborer be the beneficiary of it.

Mr. BACON. Will the Senator permit me to suggest to him that it will not be sufficient to look after the votes in this case, I recall the fact that when the Dingley bill was before the Senate I had the honor to propose an amendment putting bagging and ties on the free list, and while the Senate voted for it, the conference committee knocked it out.

Mr. SMITH of South Carolina. Yes.

Mr. BACON. So the Senator will have, in common with some of the rest of us, to look further than the mere question of votes in the Senate in order to secure this benefit, judging the future by the past.

Mr. SMITH of South Carolina. When I learn more of the method of how not to do it, I hope to be more effective than I am.

As to ties, there would not be subtracted an appreciable amount from the earnings of the steel corporation if the pitiful concession was made to the cotton grower in giving him free ties for his cotton. Free binding twine is given the wheat grower in spite of the fact that the hemp growers and manufacturers of America protest.

Here is one manufacturing plant pitted against another manufacturing plant, and the concession is made to the western wheat grower, to give him his free twine, but when the precious steel trust is touched the cotton crop of the South must pay a toll for the reason that they can not afford to subtract from this much-suffering and patriotic steel trust. The poor, hard-worked, patriotic, underpaid steel trust must be protected, even on the item of ties. As an illustration of the steel trust's methods and the helplessness of the farmer, the following is taken from the New York Journal of Commerce:

PITTSBURG, April 25.

The cotton-tie market was opened to-day by the United States Steel Corporation, and prices were advanced 10 cents a bundle. There are 2,500,000 of cotton ties ready for shipment from this city to the South. Last year the price per bundle was 85 cents. The advance, which affects the entire southern cotton-growing communities, came as a surprise.

It is estimated by the Steel Corporation that the cotton crop will be 20 per cent larger than that of last year.

The Carnegie Steel Company opened the cotton-tie market on Thursday with a price of 95 cents per bundle, an advance of 10 cents per bundle over the schedule price of last year. Practically all the cotton ties are now at southern distributing centers.

There was a rich, golden harvest in sight, and by virtue of the high protective tariff they had a monopoly of the steel business of America, and they advanced the price of ties without warning, on the eve of gathering of a crop, 10 cents a bundle,

\$250,000 exacted in one day from the men who get \$71 per year for their labor.

Twenty million of agricultural laborers must give up the hope of a competency, the hope of education, refinement, and culture; must have the shoes taken from their feet, the clothes from their backs, the carpets from their floors, the pictures from their walls in order that their favored neighbors may roll in this luxury of wealth that marks the turning point in the glory of our Government and the decadence of those principles that were the hope of humanity. There can be no justification in the mind or the heart of an honest man of that law or that government which takes from the pocket of another without giving a just return for that which it took.

Mr. Roosevelt—I almost strain a point and say the great commoner, the man who professed to have the welfare of the whole country at heart—had a commission going about through this country, known as the "Country Life Commission," studying the conditions of the rural population, inquiring into their home life, as to education, sanitary condition, school facilities, home surroundings, and so forth, so as to get at a rational explanation as to why they were drifting to the towns and cities; why they were dissatisfied with the farm life.

It either proved that for once he did not give evidence of that intelligence that characterized him or he was attempting to deceive them with a show of interest that he did not feel. For where is there such a fool but who must understand that no man is going to take up a vocation, the profits of which must go by law into the pockets of those not entitled to them. He need not have gone to the rural districts to have found an explanation of their impoverished condition, but had he made a critical and patriotic study of the high-protective duties on the necessities of life that these farmers had to buy, and the low prices at which he was forced to sell under the sharp, world-wide competition, he could have found the solution of the whole problem. He must pay a duty on his clothes, on the common homespun, on the sewing machines with which his wife makes the common underwear of the family out of this common homespun and the thread with which it is sewn, on his beds and bedding, on his bedsteads, on his chairs, on his tables, on his cooking utensils, on his hats, on his shoes, on his harness, on his wagons, on his plows and plowstocks, reapers and binders and mowers, on the lumber that he builds his modest home out of, on the nails, on the paint, on his sugar, on his tobacco, on his knives, forks, and spoons, his lamp, the oil, on his tablecloth, his plates, his glass, his china, stoneware, the medicines he buys, on the ammonia in his fertilizer, and the bagging and ties

that he wraps his cotton in. Then, having contributed to the reasonable—the guaranteed profit of all these interests that make these necessities—he is forced to take the toddling baby and tremulous old age, dwarf the one and burden the other, in order to meet the exactions of a heartless Government which has gotten into the grip of greed and from which there seems no hope of escape.

From this class of citizenship have come those that made the history of this country glorious by their devotion to the traditions of the past and their loyalty to their country. How long shall they be expected to reverence and to uphold at the risk of their lives that Government which has so far forgotten its sense of justice as to grind them with these monstrous outrages?

In conclusion, I want to state my position clearly. I believe that the laborer is worthy of his hire and that the right consideration of every statesman is the welfare of the masses of the people.

It is vastly of more interest to me that the humblest citizen should be able out of the proceeds of his labor to build himself a home than it is to see that the few lumber manufacturers shall be protected in an unreasonable price for their lumber. It is more important to me to see that his home shall have the simple comforts than to see a few millionaire iron magnates, millionaire cotton manufacturers, millionaire glass manufacturers, and millionaire manufacturers of the other articles that go to make his home comfortable. It is vastly more important to the American people that they shall have bread at a reasonable price than to see the wheat growers of the West, by virtue of their ownership of the land, given an unreasonable price for their wheat, for if the time should ever come when the yield of foodstuffs in America is not sufficient to supply the needs of our people, it will be of vastly more importance to see to it that the hungry shall be fed than that a miserable system of high protection shall be guaranteed in spite of their hunger.

It is a great joy to me that the South is able to produce an abundance of the raw material out of which the nations of the world may find a cheap and adequate clothing. We ask no protection, but we do demand that, as we give to the nations of the world the material out of which they find adequate clothing, we shall not be forced to purchase our own material in the manufactured form at a price which impoverishes us and enriches the protected manufacturer.

I shall vote for the measures which, in my judgment, tend to equalize the burdens and the blessings which the laws of Almighty God entail upon us all and which shall lay the burden for the support of the Government equally upon all.

EXHIBIT A.—Cotton industry.

State.	Number of farms, 1900.	Crop of 1900.		Population over 10 years of age engaged in agricultural pursuits.	Number of people engaged in agricultural pursuits per farm.	Number of bales per farm.	Amount per capita for each person engaged in agricultural pursuits from total value of cotton produced.
		Bales.	Farm value.				
North Carolina.....	224,637	513,677	\$24,040,578	459,306	2.04	2.29	\$32.35
South Carolina.....	155,355	787,231	38,232,143	398,693	2.53	5.07	97.11
Georgia.....	224,691	1,272,838	62,749,344	522,848	2.32	5.67	120.01
Alabama.....	223,220	1,068,392	51,765,654	515,737	2.31	4.65	100.37
Mississippi.....	220,803	1,061,973	52,932,354	490,582	2.22	4.81	107.89
Louisiana.....	115,969	720,088	35,671,229	295,445	4.23	6.21	120.76
Texas.....	352,190	3,368,310	174,307,700	644,634	1.83	9.56	270.41
Arkansas.....	178,694	812,529	41,145,588	345,479	1.93	4.55	119.09
Oklahoma.....	62,495	104,694	5,421,468	94,931	1.52	1.68	57.12
Indian Territory.....	45,505	244,661	12,719,131	92,418	2.03	5.38	137.63
Total.....	1,793,559	9,924,393	498,985,189	3,856,073	* 2.15	* 5.54	* 133.81

\* Average.

EXHIBITS B AND C.—Proportional part of customs revenue paid, 1907.

State.	On everything.	Textiles, and manufactures of.	Leather, and manufactures of.	Sugar.	Tobacco, and manufactures of.	Iron and steel, and manufactures of.	Earthen, stone, china, and glass ware.	Chemicals, drugs, and dyes.
North Carolina.....	\$8,171,000	\$2,028,000	\$152,000	\$1,491,000	\$648,000	\$240,000	\$199,000	\$187,000
South Carolina.....	5,799,000	1,439,000	108,000	1,058,000	460,000	171,000	141,000	132,000
Georgia.....	9,688,000	2,380,000	178,000	1,750,000	760,000	282,000	233,000	219,000
Alabama.....	7,908,000	1,962,000	147,000	1,443,000	627,000	233,000	193,000	181,000
Mississippi.....	6,688,000	1,660,000	125,000	1,221,000	530,000	197,000	163,000	136,000
Louisiana.....	5,963,000	1,480,000	111,000	1,088,000	473,000	176,000	145,000	153,000
Texas.....	13,179,000	3,271,000	245,000	2,406,000	1,045,000	388,000	321,000	301,000
Arkansas.....	5,667,000	1,406,000	106,000	1,034,000	449,000	167,000	138,000	129,000
Oklahoma and Indian Territory.....	3,394,000	842,000	63,000	619,000	269,000	100,000	83,000	77,000
Total.....	66,357,000	16,468,000	1,235,000	12,110,000	5,261,000	1,954,000	1,616,000	1,515,000
Total of United States.....	329,480,046	81,768,579	6,133,538	60,135,181	26,125,037	9,668,148	8,024,207	7,622,515



## Proportional part of customs revenue paid, 1907—Continued.

State.	Customs duties paid; proportionate part of total paid by each State.	Consumption of domestic manufactured goods; proportionate part of total consumption of United States.	Indirect tax paid on this consumption by increased price due to protection.	Total indirect amount.	Taxation per capita of total people.
North Carolina.....	\$8,171,000	\$351,550,000	\$108,983,000	\$117,154,000	\$61.85
South Carolina.....	5,799,000	249,494,000	77,343,000	83,142,000	62.05
Georgia.....	9,588,000	412,515,000	127,880,000	137,468,000	62.03
Alabama.....	7,908,000	340,219,000	105,408,000	113,376,000	61.99
Mississippi.....	6,688,000	287,768,000	89,208,000	95,896,000	61.83
Louisiana.....	5,963,000	256,581,000	79,540,000	85,503,000	61.87
Texas.....	13,179,000	567,031,000	175,780,000	188,939,000	61.97
Arkansas.....	5,667,000	243,823,000	75,585,000	81,252,000	61.93
Oklahoma.....	3,394,000	146,010,000	45,263,000	48,657,000	61.59
Total.....	66,357,000	2,855,000,000	885,050,000	951,407,000	61.93
Total of United States.....	329,480,000	14,175,770,000	4,394,489,000	4,723,969,000	61.91

EXHIBIT D.—Cereal crop produced in 1907.  
[From Yearbook, Department of Agriculture, 1907.]

State.	Corn.		Wheat.		Oats.		Barley.	
	Bushels.	Farm value.	Bushels.	Farm value.	Bushels.	Farm value.	Bushels.	Farm value. <sup>a</sup>
Maine.....	440,000	\$333,000	210,000	\$212,000	4,266,000	\$2,560,000	224,000	78
New Hampshire.....	910,000	682,000			423,000	258,000	48,000	80
Vermont.....	1,980,000	1,485,000	23,000	23,000	2,652,000	1,671,000	399,000	75
Massachusetts.....	1,581,000	1,188,000			245,000	147,000		
Rhode Island.....	312,000	250,000			59,000	39,000		
Connecticut.....	1,818,000	1,383,000			315,000	189,000		
New York.....	16,200,000	11,502,000	7,197,000	7,125,000	37,083,000	21,139,000	1,975,000	80
New Jersey.....	8,757,000	5,517,000			1,770,000	991,000		
Pennsylvania.....	45,922,000	29,390,000	30,005,000	28,891,000	29,689,000	16,032,000	230,000	70
Delaware.....	5,308,000	2,760,000	2,460,000	2,389,000	120,000	60,000		
Maryland.....	22,196,000	11,983,000	14,763,000	14,172,000	825,000	404,000	33,000	60
Virginia.....	46,025,000	29,456,000	8,188,000	8,024,000	2,892,000	1,431,000	58,000	62
West Virginia.....	21,280,000	15,322,000	4,477,000	4,477,000	1,834,000	990,000		
North Carolina.....	45,078,000	33,358,000	5,320,000	5,692,000	2,995,000	1,707,000		
South Carolina.....	29,807,000	23,249,000	2,669,000	3,203,000	3,900,000	2,808,000		
Georgia.....	57,538,000	43,729,000	2,673,000	3,074,000	5,010,000	3,607,000		
Florida.....	7,017,000	5,614,000			411,000	308,000		
Ohio.....	117,640,000	61,173,000	30,677,000	28,223,000	26,840,000	16,416,000	784,000	70
Indiana.....	168,840,000	75,978,000	34,013,000	29,961,000	36,683,000	15,407,000	184,000	67
Illinois.....	342,756,000	150,813,000	40,104,000	34,890,000	101,675,000	41,687,000	600,000	67
Michigan.....	57,190,000	31,455,000	12,731,000	11,585,000	30,534,000	14,656,000	1,496,000	67
Wisconsin.....	46,688,000	25,678,000	2,955,000	2,719,000	51,700,000	24,229,000	18,423,000	75
Minnesota.....	43,606,000	21,802,000	67,600,000	69,122,000	61,685,000	25,414,000	28,693,000	67
Iowa.....	270,229,000	116,195,000	7,653,000	6,276,000	108,900,000	41,332,000	14,178,000	60
Missouri.....	241,025,000	113,282,000	29,212,000	24,538,000	14,254,000	5,844,000	46,000	57
North Dakota.....	3,080,000	1,848,000	55,130,000	47,963,000	32,340,000	12,936,000	15,616,000	58
South Dakota.....	47,175,000	21,700,000	32,480,000	28,907,000	32,728,000	12,764,000	20,125,000	61
Nebraska.....	179,328,000	73,524,000	45,911,000	36,270,000	51,490,000	19,051,000	2,413,000	60
Kansas.....	155,142,000	68,252,000	65,609,000	53,799,000	16,380,000	6,879,000	4,392,000	54
Kentucky.....	93,060,000	49,322,000	8,808,000	8,103,000	3,379,000	1,656,000	25,000	73
Tennessee.....	78,364,000	44,667,000	7,400,000	7,030,000	3,058,000	1,529,000	20,000	70
Alabama.....	45,896,000	34,422,000	890,000	935,000	8,850,000	2,579,000		
Mississippi.....	42,500,000	31,875,000	22,000	19,000	1,611,000	1,047,000		
Louisiana.....	28,000,000	19,600,000			406,000	223,000		
Texas.....	155,589,000	93,353,000	2,812,000	2,784,000	9,500,000	5,700,000	68,000	73
Oklahoma.....	113,265,000	49,837,000	8,631,000	7,164,000	6,270,000	3,099,000	654,000	50
Arkansas.....	43,430,000	29,532,000	1,463,000	1,390,000	3,412,000	1,843,000		
Montana.....	90,000	61,000	4,003,000	3,243,000	11,760,000	5,410,000	646,000	62
Wyoming.....	75,000	52,000	855,000	658,000	1,177,000	1,177,000	128,000	68
Colorado.....	2,608,000	1,695,000	8,497,000	6,628,000	5,890,000	2,945,000	1,000,000	60
New Mexico.....	300,000	270,000	1,104,000	1,027,000	462,000	254,000	26,000	70
Utah.....	280,000	202,000	4,637,000	3,431,000	2,025,000	972,000	429,000	58
Idaho.....	150,000	105,000	8,639,000	5,788,000	5,706,000	2,397,000	2,181,000	58
Washington.....	324,000	227,000	35,045,000	26,284,000	10,545,000	4,745,000	6,682,000	58
Oregon.....	440,000	326,000	15,265,000	11,907,000	9,765,000	4,394,000	2,592,000	57
California.....	1,836,000	1,561,000	20,520,000	20,110,000	4,556,000	3,235,000	30,056,000	78
Arizona.....			388,000	408,000	116,000	70,000	923,000	73
Nevada.....			960,000	998,000	301,000	217,000	280,000	83
Total.....	2,592,320,000	1,336,901,000	634,087,000	554,437,000	754,443,000	334,568,000	153,597,000	66.6

<sup>a</sup> Per bushel.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Chair understands that it was the intention to go back to paragraph 280. Is that the desire or the understanding of the chairman?

Mr. ALDRICH. It is. The Senator from Georgia [Mr. BACON] is now in his seat.

The PRESIDING OFFICER. The Chair is informed that the amendment has already been agreed to.

Mr. BACON. No; it has not been agreed to. When the amendment was reached on the first reading I asked that it be passed over, and it is so marked on my copy. I am not mistaken about that; I am entirely sure of it. I am satisfied the Senator from Rhode Island will recall the fact.

Mr. ALDRICH. I am inclined to think the amendment has been adopted.

Mr. BACON. I am sure it has not.

Mr. ALDRICH. I am willing to reconsider it if it has.

Mr. BACON. But it has not been.

The PRESIDING OFFICER. The amendment, then, will be considered as pending.

Mr. CRAWFORD. I should like to have the attention of the Senator from Rhode Island. I do not understand that any of the paragraphs in the lumber schedules have been agreed to, except the voting down of the amendment of the Senator from North Dakota [Mr. McCUMBER] the other day.

Mr. ALDRICH. It is not lumber that is under consideration now; it is bacon and hams.

Mr. CRAWFORD. The paragraphs generally of that schedule have been passed over, have they not?

Mr. ALDRICH. All have been voted on, I think, except these three, perhaps. I think they have all been agreed to except paragraphs 280, 281, and 282. That is my understanding.

Mr. CRAWFORD. The Senator does not understand that paragraph 197 has been adopted.

Mr. ALDRICH. That is in the lumber schedule. I am not talking about the lumber schedule.

Mr. CRAWFORD. The Chair referred to paragraph 208?

Mr. ALDRICH. To paragraph 280.

Mr. CRAWFORD. Oh, I beg pardon.

Mr. BACON. Mr. President, paragraph 280 as it comes from the House fixes a duty on bacon and hams of 4 cents per pound. The committee report is to raise it to 5 cents. What I shall say will equally apply to paragraphs 280, 281, and 284. Therefore I shall speak generally as to these three. I presume, of course, a vote will be taken upon them separately.

Mr. ALDRICH. Yes.

Mr. BACON. In order that I may not repeat myself, I will address myself to all three of these paragraphs.

I wish to say in the beginning, that so far as the rates of duty are concerned, which are imposed in these several paragraphs, I have no criticism to make upon them, when abstractly considered. In other words, I do not think the rates of duty are high when thus abstractly considered. They are, as shown by the table before us, respectively, upon bacon and hams 23.28 per cent, upon beef 18.19 per cent, and upon lard 20.29 per cent; all of which rates are recognized as moderate rates considered abstractly, and as being within the zone, if I may use such a word, or within the classification, generally recognized as that of revenue rates.

I hope the Senator from South Carolina [Mr. TILLMAN] will not withdraw the attention of the Senator from Rhode Island.

Mr. TILLMAN. The Senator from Georgia and the rest of us have become so accustomed to consider the Senator from Rhode Island as the Senator that he objects to anyone talking to that Senator while he is speaking.

Mr. BACON. That is stating exactly the fact. The Senator is merely stating a fact which all recognize. Therefore "the Senator from Georgia" was objecting to anybody else diverting the attention of the Senator from Rhode Island when he was speaking to him.

Mr. TILLMAN. Nevertheless some of us have to talk with the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BACON. I do not know that the Senator from Rhode Island was enabled to hear me; it was not his fault. I repeat, I have no criticism to make upon these rates on the three particular articles found in paragraph 280, 281, and 284 from an abstract standpoint. I think the rates are ordinary revenue rates. But I have a particular objection which I hope may commend itself to the consideration of the committee because there is nothing political in it. In other words, it is not a question of a protective rate on one hand or an ad valorem duty on the other.

My objection to it is that the only purpose the rate can serve is to permit dealers to charge exorbitantly high prices to the consumers; and when I say the dealers I am referring only to the original dealers who are the packers, because other prices necessarily have their foundation in the prices charged by the packers.

The tables before us show that there were no importations of any consequence of either of these articles, and therefore the rate of duty can not be imposed for the purpose of protecting the domestic producer, either the producer of the animal upon the hoof or of the packer who prepares the carcass for the market. I will read the statement of the importations. In the case of bacon and hams the revenue under the present law and also under the proposed law—because both are the same, the House having endeavored to make a reduction of the present law and the Senate committee having by their amendment proposed to the present law—under the present law and under the proposed bill the importations from the entire product of bacon and hams is \$23,771. Twenty-three thousand seven hundred and seventy-one dollars is the entire revenue derived from this very large item of general consumption, bacon and hams. Of course the product in this country and the consumption in this country is vast. I am sorry I have not looked it up, just by way of illustration, to show how vast is the consumption in this country of the two items, bacon and hams. With that vast product and that vast consumption there is only an importation which yields a revenue of \$23,000, which proves incontestably and absolutely that the rate of duty is not for the purpose of protecting the domestic producer, but it must necessarily be for the purpose of protecting the one who fixes the prices. I do not speak about the prices paid by the packers—

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON (continuing). A great deal might be said as to the price paid by packers to the raisers of cattle on the hoof, but it is not necessary to go into that, and we can start at the prices charged by the packer.

Now I yield, with pleasure, to the Senator from Rhode Island. I was right in the middle of a sentence, and that is the reason why I did not stop then. I yield with pleasure.

Mr. ALDRICH. I was about to say that there are certain classes of bacon and certain classes of hams imported, and always will be.

Mr. BACON. Yes; Westphalia and others.

Mr. ALDRICH. Those pay a revenue, and the duty is, in a certain sense, protective to the American producer.

Mr. BACON. The revenue is so small that that can not be the principal inducement here.

Mr. ALDRICH. That does not follow, by any means. If the duties upon bacon and hams were removed, it is not at all certain that there might be very large importations of both articles. It does not follow because the rates, being protective, have prevented the importations of large quantities, if the rates were reduced or removed there would not be large importations. That is true all through these schedules. These rates are protective, and if they are protective, the importations may be small. There may in certain cases be nothing at all paid. Still that does not take away from the rates their protective character.

Mr. BACON. Very well; if what the Senator suggests were the influential fact, the consequence would stare us in the face that it is not simply a protective, but a prohibitive duty.

Mr. ALDRICH. That does not follow, by any means. The fact which the Senator is now alluding to stares him and stares me in the face through almost every paragraph of the bill.

Mr. BACON. Very well; if the Senator will permit me to state my proposition with some degree of continuity, I will proceed. As I have stated, the revenue derived from the present rate on bacon and hams is \$23,771.

Upon beef it is \$7,566 only, the whole year. With the vast product, the vast consumption of beef in this country, with a duty of 2 cents a pound, the entire revenue derived from the entire importation is \$7,566. Upon lard, with a duty of 2 cents a pound, as in the present law, and 2 cents a pound in the proposed law, the revenue, according to this table, would be \$80.22. Eighty dollars and twenty-two cents is the amount received on the entire importation of lard in the United States. That is, under the present law and under the proposed law, it is also \$80.22.

Now, Mr. President, it is not a matter for me to consume much of the time of the Senate, because the proposition which I suggest is one which lies right on the surface. As I have already stated, and I now repeat, the only effect of the high rate of duty can be to enable those who are principally interested in this product, the packers, to charge exorbitant prices to the people for that which is absolutely essential to life.

Even if the rate proposed in the House bill were defensible, what possible reason can be given for increasing it unless it be for the purpose that the consumers shall be required to pay more for it than they would under the House bill? There is no danger, even at the rate proposed in the House bill, that there is going to be such importation of these articles as will materially affect the interest of those who produce them.

If there were no duty at all, the importations of bacon, hams, beef, and lard would be comparatively insignificant. There would be a greater amount than there is now, I fully grant to the Senator from Rhode Island, but there would be no such importation as would amount to a serious matter of competition.

If it be true that under the House bill the rates would not result in any largely increased competition, what possible reason can there be for the Senate raising those rates except for the purpose of enabling the packers to charge still higher prices than they charge now?

Mr. ALDRICH. Mr. President—

Mr. BACON. If the Senator will pardon me just a moment, I will yield to him a little later with pleasure. If there is any one thing which is now incumbent upon the Senate, even if we recognize the principle upon which the Senators on the other side of the Chamber base their action if we recognize the system of protection, which I do not, as a principle which should control in the framing of a tariff bill, it seems to me there is nothing more important in conjunction with that recognition than the further recognition of the fact, which every man knows



from his daily experience and from his contact with those who have still more serious experience, that the great evil of the day, the great burden of the day, is in the fact that foodstuffs have gone to such a rate that even people in good circumstances can not enjoy them as they did before in the profusion and in the quality which they desire, and that the common people are absolutely deprived to the extent essential for their health and comfort.

Therefore, Mr. President, it is that, so far from being in favor of the amendment offered by the committee of raising each one of these staple articles over and above what the House bill fixes them at, I would be more than glad to still further lower them.

When we come to talk about articles of luxury, we may speculate upon whether it is good policy or not to impose additional burdens upon the people, but when we come to those things that are not only essential to comfort, but to absolute health, certainly nothing but the most cogent reasons ought to justify us for a moment in considering the question of laying additional burdens upon them.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. With pleasure.

Mr. GALLINGER. I have listened very attentively to the argument of the Senator—

Mr. BACON. The Senator has not heard it all yet, though.

Mr. GALLINGER. I know it will be gratifying to the Senator for me to say that I entirely agree with him and will be pleased to vote with him on this proposition.

Mr. BACON. I have so frequently noticed that upon things which are essential the Senator from New Hampshire and myself differ that I am very much encouraged whenever it occurs that we agree.

Mr. GALLINGER. I would not at all agree to the Senator's suggestion that possibly removing the duty entirely upon beef, for instance, would not result in a very large importation, because Canada is now sending her beef to England, and if she could get into this market on a free-trade basis, we would undoubtedly be deluged with Canadian beef.

Mr. BACON. I know, of course, we can not accomplish that, and the removal entirely of the duty could only be put upon the ground, from my standpoint, of the fact that it relates to an article of absolute necessity, because, as a general proposition, I believe in a tariff, and a tariff which will raise enough revenue for the support of the Government. I recognize that there are exceptions, and while I do not know that I shall urge it in this instance, I would be prepared to put foodstuffs upon the free list, at least some of them, if not all of them. I will not say all foodstuffs, because that is a generic term, and I am speaking of staple articles, those essential for the preservation of life. I would be glad to put salt, for instance, on the free list, and I would not be averse to putting common articles of meat, that the country uses, upon the free list.

But I am not discussing that now. I am discussing the question whether this duty should be lowered.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. With pleasure.

Mr. ALDRICH. Does the Senator from Georgia seriously think that the imposition of a cent and a half or 2 cents a pound on lard increases the price of lard in the United States?

Mr. BACON. I do, Mr. President.

Mr. ALDRICH. To everybody?

Mr. BACON. For this reason, if the Senator will permit me—

Mr. ALDRICH. To all consumers?

Mr. BACON. Yes. If the Senator will permit me to give him the reason why I think so, I will do so with pleasure. It does not increase it because of the fact that it shuts out competing articles, because I do not think we would have any material competition even if it were absolutely free. Therefore, the imposition of a high revenue tariff does not affect the situation, just as I said on Saturday in talking about the question of the imposition of a duty upon the common article of cotton. Although there are some 20,000,000 pounds of it introduced into this country and a corresponding revenue would be derived from it, the imposition of that duty upon it, however, could not possibly affect the price of the common article of cotton, even if you put \$10 a pound upon it, simply because our production is so far in excess of our consumption.

Mr. ALDRICH. I should like to have the Senator, if he will, differentiate lard from cotton. We produce immense quantities of lard and export the—

Mr. BACON. What does the Senator say?

Mr. ALDRICH. I should like to have the Senator differentiate cotton from lard, if he can.

Mr. BACON. I am doing so.

Mr. ALDRICH. The Senator says that putting a duty of a cent and a half on a pound increases the price of lard in the United States to that extent.

Mr. BACON. I had not gotten through with my statement, Mr. President.

Mr. ALDRICH. And the Senator says that, notwithstanding the fact that immense quantities of lard are exported and none imported.

Mr. BACON. Yes.

Mr. ALDRICH. Now, as to cotton, the Senator says the duty on cotton does not increase its price in the United States, because there is an immense quantity exported and none imported.

Mr. BACON. I commend to the Senator from Rhode Island the old Latin motto, "Festina lente"—make haste slowly.

Mr. ALDRICH. Mr. President—

Mr. BACON. If the Senator will permit me, I was simply illustrating, and was coming to the very point he is calling my attention to.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Will the Senator from Georgia yield further?

Mr. BACON. If the Senator will permit, I certainly ought to be allowed to state my proposition.

I was illustrating, Mr. President, and yet the Senator anticipates that I meant to say exactly the opposite of what I am about to say. Now, if the Senator will give me his attention—

The PRESIDING OFFICER. The Senator from Georgia will suspend. Senators will please be in order and take their seats. The Senator from Georgia will not proceed until the Senate is in order. Senators will cease conversation on the floor. [A pause.] The Senator from Georgia will proceed.

Mr. BACON. Mr. President, I think that a speaker himself addressing an audience ought generally to command silence by the interest in what he says. As I did not have the good fortune to be able to exercise the power to that extent, I am more than gratified to have so able a coadjutor as the Presiding Officer to accomplish that result.

I shall have to go back, in order that the Senator from Rhode Island may take the point that I was about to present when he anticipated me, and anticipated me incorrectly. I had said that I did not think that the imposition of a duty on lard would, in itself, by reason of any barrier against the competition which it interposed, affect the price of lard; and I went on to say further that, if there were no duty at all, I did not think that the price would be different, so far as the particular matter of the imposition of the duty or no duty would directly affect it. Then I went on to illustrate, as I had said in the brief discussion we had on the cotton question, that so far as the ordinary article of cotton was concerned, the imposition of no duty could affect the price of it in this country, even if you put \$10 a pound on it, from the fact that we are the producers of so much larger quantities of cotton than we consume; and, in the same way, we are the producers of so much larger quantities of lard than we consume.

I was going on then to point out, while that may be true in that particular, how far the imposition of a duty did indirectly affect the price. It affects the price in just this way, that there being a comparative monopoly of it, it puts in the mouths of those who have the fixing of the price the excuse of saying that the tariff duty imposed upon it makes it necessary that they should increase the price.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. Yes, I will; but I should prefer to be able to give my statement, rather than taking it up by piecemeal.

Mr. ALDRICH. Who has a comparative monopoly in the manufacture of lard?

Mr. BACON. Well, I should say undoubtedly the packers have in this country, as they have in all other fresh meats and their products. I think that is a well-understood fact.

Mr. ALDRICH. The Senator from South Carolina [Mr. TILLMAN] informed me the other day that the production of compound lard, which I suppose would be involved—

Mr. BACON. That is a very different thing. I am not talking about that now. I hope the Senator will premit that discussion now and let me go on, because I am not jesting.

Mr. TILLMAN. I was just dragged in—

Mr. BACON. The Senator might stay out for the present.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BACON. Mr. President, the same thing is true in probably a less degree in the matter of fresh meat. It may be true, as stated by the Senator from New Hampshire, that, if there were no duty upon fresh meat, there would be a very largely increased importation; but, of course, while there might be, speaking generally, a large importation, comparatively it would necessarily be very small, because of the fact that the production in Canada is a trifle compared to the production in the United States. While that is so, we have evidence of the fact that the price of fresh meat in this country is very much higher than it is in Canada. I have had no opportunity to make any very recent investigation on that subject; but some years ago, when I addressed the Senate upon the question of the tariff, I read an article, taken from the Washington Post, in which it quoted what was said by the Philadelphia Press, a staunch Republican paper and a paper strongly advocating the protective principle in every particular, as to the effect of the tariff duty in this country on fresh meat in increasing the price in this country over and above what the same kind of meat cost in Canada, across the line. I read it in the Senate then and I will read it again now. It is true this statement is not very recent; but I presume conditions have not materially changed, as we are still living under the same law now under which we lived then. In 1902 the Washington Post contained an editorial which I shall now read to the Senate. I will say, before reading it, that the article is based upon figures taken from a criticism made by the Philadelphia Press. The article is as follows:

About the last source to which one would naturally look for an argument in favor of the reduction of any tariff schedule is the Philadelphia Press. In harmony with the Republican sentiment of Pennsylvania, the Press opposes tariff revision. In their recently adopted platform the Pennsylvania Republicans declare their "unswerving loyalty" to the Dingley tariff and set themselves squarely against any effort to revise it or to interfere in any way with its operations. They also "affirm the friendship of the Republican party for the breadwinner and the home builder."

To all this the Press heartily subscribes, seemingly unconscious that its party is going into the congressional campaign under the management of an enthusiastic advocate of tariff revision, a revision that has for its central point the leading industry of Pennsylvania, which is protected by duties for which he declares there is no necessity and can be no defense.

But while the Press stands up bravely for the tariff as it is, although well knowing that some of its schedules were framed and adopted with a view to their cutting down almost immediately, the necessities of its position as a real newspaper compel it incidentally to condemn some of its provisions, and their condemnation is an inferential protest against other schedules that produce similar results. Just as the free-trade organs condemn their theory by printing the statistics of our industries, our commerce, our national finances, and savings-banks deposits, so the organs of extreme protection, or protection gone mad, furnish convincing arguments against their policy by printing facts. For example, just before the Republican congressional candidates go out on a campaign in which they will find it impossible either to dodge or defend the tariff on meat, the Press shows the difference in meat prices between Buffalo and Fort Erie, directly opposite in Canada. It says the beef trust has advanced the prices in Buffalo from 25 to 50 per cent. Porterhouse steak, for instance, is 24 cents in Buffalo and 16 cents in Fort Erie; loin steak, 15 cents in the city which is forced to pay beef-trust prices and 12 cents in Fort Erie. The Press says that the cost of living has been increased by the trust, so far as meat is concerned, from 10 to 50 per cent, as these figures prove.

It did not occur to our Philadelphia contemporary to mention any reason why the beef trust is able to run up prices on this side of the line while they remain in statu quo on the other side. But it is likely to occur to a good many millions of consumers, and especially to wage-workers, that the duty imposed on beef cattle and all kinds of dressed meat is what has caused important change in the contents of the "full dinner pail."

Mr. President, that clearly presents the issue, it seems to me, that I read to the Senate, and it raised a very distinct issue, but no issue was ever joined on it.

Mr. ALDRICH. What was the date of that?

Mr. BACON. That article appeared in 1902, but it was read by me in the Senate in 1904; but, Mr. President, if it had been issued yesterday it could not have corresponded more strictly with the present situation than those words now do, though they are related to what occurred in 1902. The prices on beef which were there quoted are practically the prices to-day, unless they have been raised and are greater than they then were. Has the present law given any such indication of being so low in its barrier against the importation as to raise an apprehension on the part of the framers of this bill that unless the rates are increased there will be an undue importation, and that prices will go down in this country? They may say "No;" and therefore the rates of the present law are proposed to be maintained in the provisions of this bill; but do not the provisions of the present law and the experience under it show conclusively that it is a practical barrier to all competition, and that our people in purchasing the great necessities of

food, and of staple food—necessary food—are compelled to pay prices which make it a serious matter for any head of a family to go to market to buy those provisions?

Mr. President, of course I have not in charge the fortunes of the Republican party. If I did have, there would be nothing that I would urge upon them more strongly than that in the matter of food, if possible, prices should be reduced to the consumer.

I am somewhat of a partisan, but I hope Senators will give me credit for sincerity when I say that, while I believe the passage of a bill which shall disregard this consideration will be of great advantage to the party to which I belong, I would infinitely prefer to see this Congress pass a bill which would lower the prices not only of food, but of all the other necessities of life, to the extent which will take from the people the burdens under which they now rest and under which they now groan. The great cry which has come up, and which has moved the Republican party to a recognition of the fact that there should be an ear turned to that cry, is based upon the fact that the people are suffering; and, judging from the interest of the Republican party itself, the highest consideration is to remove the burden from the common necessities of life.

The Senator asked me whether or not the duty can affect the price. If not, what possible danger of importation to any considerable extent can be found in the production of any other country of these articles? What other country on earth can produce bacon and ham and lard and send them to the United States, and afford even to pay the transportation upon them, or, outside of that, which have them to send or can have them to send? There is no other country that produces these articles to the extent of an important surplus, and few of them produce these articles to the extent that they themselves consume. What other object can be subserved in the putting of a high rate of duty upon these staple articles of food, produced in our own country in superabundance, and produced in our own country to the extent that we are large exporters of them, except to enable those who now have this great monopoly to put still further additional burdens upon the people in the purchase of those things essential not only for comfort, but for absolute life, for their subsistence?

I hope, Mr. President, that the amendment will not be agreed to, and that the amount of duty upon these various articles may be still further reduced.

Mr. BEVERIDGE obtained the floor.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. Yes; for the purpose the Senator has in mind.

Mr. ALDRICH. I am desirous of saving the Republican party—

Mr. BACON. I am glad of that.

Mr. ALDRICH (continuing). And therefore I will withdraw the amendments.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Will the Senator from Indiana allow the Chair to get an understanding of what it is the Senator from Rhode Island withdraws?

Mr. ALDRICH. The amendments to paragraphs 280, 281, and 284.

The VICE-PRESIDENT. All of those amendments were agreed to in the first reading of the bill.

Mr. ALDRICH. Then I ask that they may be reconsidered and disagreed to.

Mr. BACON. I ask if the Senator will allow those paragraphs to go over for the present?

Mr. ALDRICH. No; I withdraw the amendments and ask to have the paragraphs agreed to.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent to reconsider the action by which the amendments were agreed to. Is there objection?

Mr. HEYBURN. I should like to know the scope of that proposition. Does it include the duty on beef and the other reductions made in the House bill on meats?

Mr. ALDRICH. Yes; it reduces the duties to the rates carried in the House bill.

Mr. BEVERIDGE. It removes the Senate committee increases on the House decreases of the existing law.

The VICE-PRESIDENT. The request, of course, does not include the amendment offered by the Senator from Massachusetts [Mr. Lodge] in line 7.

Mr. KEAN. Including the word "lamb."

The VICE-PRESIDENT. The words "and lamb."

Mr. HEYBURN. I should like to understand this matter. It is pretty far-reaching.



Mr. ALDRICH. The committee amendments to paragraphs 280, 281, and 284 are withdrawn, and that leaves the House provisions stand.

Mr. HEYBURN. Mr. President—

Mr. BEVERIDGE. Mr. President, I believe I have the floor. The VICE-PRESIDENT. The Senator from Indiana is entitled to the floor.

Mr. HEYBURN. I merely wanted that unanimous consent should not be given until I had a chance to speak.

The VICE-PRESIDENT. Does the Senator from Idaho object to unanimous consent to reconsider the action by which the amendments were agreed to?

Mr. HEYBURN. I will object, because I desire to submit some remarks on them.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. The Senator from Indiana is entitled to the floor.

Mr. BEVERIDGE. If there is objection to the proposition, I think I will yield the floor to the Senator from Idaho. I had intended when I rose, before the Senator from Rhode Island, as I think very wisely, withdrew the amendments, to submit perhaps three or four sentences upon the question. If, however, there is going to be any objection to this most wise action of the Senator from Rhode Island in withdrawing the amendments, I will yield the floor to the Senator from Idaho until he gets through, and resume it then.

Mr. HEYBURN. Mr. President, I did not expect to be called upon to express myself in favor of the action of the committee as reported to the Senate. The question is a large one. There is probably no more important item in this bill than the one which restores the duty upon meat. It is one that affects a very large part of the country; and, if it can not go over, while, of course—

Mr. ALDRICH. I would suggest to the Senator from Idaho that paragraph 280 certainly does not come within the scope of his objection.

Mr. HEYBURN. Paragraph 280?

Mr. ALDRICH. Yes; the paragraph relating to bacon and ham.

Mr. BEVERIDGE. That is part of the same general scheme.

Mr. ALDRICH. No.

Mr. HEYBURN. The House reduced the existing duty from 5 cents a pound to 4 cents a pound.

Mr. ALDRICH. We now propose to put it back to 4 cents.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent to reconsider the vote by which the committee amendment was agreed to.

Mr. ALDRICH. To paragraph 480.

The VICE-PRESIDENT. To paragraph 480. Is there objection?

Mr. HEYBURN. Yes; I desire, if we must consider that question now, to submit some remarks in regard to it.

Mr. BEVERIDGE. I yield the floor to the Senator from Idaho, and will afterwards resume it.

Mr. HEYBURN. Mr. President, I feel myself in a measure unprepared to take up the consideration of the meat schedule, not having anticipated the action of the committee in regard to it.

Mr. ALDRICH. If the Senator will permit me, my reason for withdrawing the amendments was that I wanted to save what threatened to be an interminable discussion. I think it makes no difference to anybody whether the duty really is 5 cents or 4 cents. That is my judgment about it.

Mr. BEVERIDGE. Also, I take it, the Senator withdrew the amendment because he thought, after consideration, that the Senate amendment was not as wise as the House provision.

Mr. ALDRICH. Mr. President, my principal reason was, as I have said, to avoid discussion; because I think as a practical question it makes no difference whether the duty is 5 cents or 4 cents.

Mr. BACON. Will the Senator agree, then, to allow it to be put still lower?

Mr. ALDRICH. No; I will not.

Mr. HEYBURN. Mr. President, I am inclined to think that the Senator would reconsider that suggestion, because that goes to the whole question of a protective tariff. If 1 cent a pound upon meat makes no difference to the producer, then 1 cent a pound on anything else would make no difference. It makes a difference to the extent of the reduction of the existing duty.

Mr. ALDRICH. Mr. President, if I were obliged to admit, as I trust I never shall, that every duty that is put into this bill raises the price in the United States to the extent of the duty, then I should cease to be a protectionist, I think.

Mr. HEYBURN. Mr. President, the question of the price, as we have been discussing these items, has not seemed as impor-

tant to me as it has seemed to others. I speak purely for the protective principle involved in this question. The reduction of a cent a pound on the existing duty would open the market for foreign competition; not that we are receiving vast quantities of these articles, but if we lower the fence one rail we make it that much easier to be overtopped by those outside the inclosure of this Government.

Mr. President, the difference of 1 cent a pound, if it should affect the price of the commodity, would amount to a good many million dollars in the country west of the Mississippi River, with a million head of cattle, 5,000,000 head of sheep, and hundreds of thousands of pigs. It is very material whether or not that very convenient rival of ours—if I may use such a term—which lies just across an imaginary line, shall receive this advantage. They drive cattle over the line from that country; they do not have to send them in ships or transport them on railroads; but they can drive hundreds of thousands of cattle across the line.

The Senator from Massachusetts [Mr. LODGE] remarks that they have a different grade or rating, but they can be converted into dead animals very readily.

Mr. LODGE. They do not come under this clause.

Mr. HEYBURN. Well, bacon comes under this clause, if it is killed and cured on the other side of the line.

Mr. LODGE. They do not bring it in as bacon.

Mr. HEYBURN. We are speaking of the bacon item. That is one of the items which is included in the suggestion of the Senator in charge of the bill.

Mr. LODGE. The Senator will excuse me. If they come in on the hoof, as live animals, they come in under a rate having no relation whatever to this paragraph.

Mr. HEYBURN. I thoroughly appreciate that, but they may be slaughtered and come in as bacon.

Mr. LODGE. Then they will not come in on the hoof.

Mr. HEYBURN. No. They are just over the line. I have no doubt you can stand at places in the State of Montana or Idaho and see thousands and thousands and at times even hundreds of thousands of these animals right on the line. I think Senators fail to understand how close the Canadians are to our country, along that great stretch, which is greater in magnitude than the country lying between Chicago and the Atlantic Ocean. It is a vast country and is adapted to the raising of these animals that result in these products of meats, cured meats and uncured meats for that matter.

I never dreamed the committee was not to stand firm for the measure as reported. I had supposed, and had taken much comfort in the fact, that the committee had restored a duty that was very important to a very large part of the people. I think I would be safe in saying that Canada can produce as many cattle, as many horses, and as many pigs as the United States can produce. It is peculiarly adapted to the raising of these animals, and its people have not been slow to appreciate it. They have been compelled to find their market through the medium of the line of the Canadian Pacific Railroad instead of coming across the border. Now we have nine railroads running down from that northwestern portion of Canada into our country, and it is a matter of from ten minutes to a few hours between the Canadian fields and our markets. A difference of a cent a pound, or a dollar a hundred, or \$8 a head on cattle is a material difference. Just a cent a pound would be a difference to us, taken in round numbers, upon the stock on our grazing fields of \$8,000,000 or \$9,000,000.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER (Mr. PAGE in the chair). Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. I do.

Mr. TILLMAN. I should like to ask a question for information, because I have not examined into it. Is there any duty on hogs?

Mr. HEYBURN. Yes; there is a duty on hogs.

Mr. TILLMAN. What is it? Hogs on the hoof, I mean.

Mr. HEYBURN. Yes; I will turn to the schedule of live animals. I had it here. I will have to turn to it again. Swine, \$1.50 a head. We passed that item.

Mr. TILLMAN. The average hog will weigh 300 pounds when he is ready to be slaughtered. That would be but a half a cent a pound. They could drive them across and kill them on this side and give American labor something to do.

Mr. HEYBURN. American labor has generally been pretty well taken care of under the principle of the protective tariff.

Mr. President, it is probably true that there is no animal so universally distributed among all classes of working people as the pig. The probabilities are that there are more individuals of the wage-earning class owning pigs than own any other stock.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. Yes.

Mr. TILLMAN. What is the difference in the Senator's vocabulary between a pig and a hog?

Mr. HEYBURN. I rather like the term "pig" a little better than "hog," because the term "hog" is sometimes applied to a different class of beings. I like to select the term which I like best.

Mr. BAILEY. A hog is a pig grown.

Mr. TILLMAN. I have understood that a pig was a baby hog, a suckling fellow, who has to squeal for his milk sometimes when he can not get a teat.

Mr. HEYBURN. I think I will not take the chances of minimizing what I may say in this Chamber by entering into a discrimination between pigs and hogs. I will take the chances of being understood when I use the word "pig."

This is a proposition to recede not only from the duty proposed by the committee on bacon and hams, but also upon beef, veal, mutton, pork, and lard. Those are farmers' products. The farmers, so far as those items are concerned, are producers more than they are consumers. It is the custom in the country for people of small means, in limited circumstances, to depend upon the sale of the surplus of those articles they raise for cash money. A very small inclosure and a very humble home will raise five or six pigs; sell four of them for cash, and save two for their own use. That is the ordinary rule, and it is applicable to every part of the United States.

Mr. NELSON. Mr. President—

The VICE-PRESIDENT. Will the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Certainly.

Mr. NELSON. Is not the Senator aware of the fact that while the farmers raise hogs and pigs and swine, and butcher a few for their own use, they do not make any bacon or ham for export? As a rule they sell their hogs and pigs to the beef trust at Chicago or Kansas City, and they make the bacon and the ham, and it is a protection to them rather than the farmer.

Mr. HEYBURN. I supposed the trust would get into this sooner or later. The suggestion of the Senator from Minnesota does not appeal to me. The class of people to whom I refer do not deal with the meat trust, either directly or indirectly. They make their own bacon, cure their own hams, and it goes into their local markets. It never sees Chicago. I am speaking about millions of people and not of some circumscribed community or limited class, and I think when you consider that the question is, whether or not the product of a pig is worth \$4 or \$4.25 to this humble class of people, you will realize that it is not a trifling question. When we deal with iron schedules and ore schedules and grain schedules we talk about the trusts as applying to each of them, but there is no trust entering into this question at all. It is a question that does affect the value of the surplus product of these small producers and is of such universal application that I can not refrain from calling the attention of the Senate to it.

It seems to me we are sometimes too apt to underestimate the questions with which we do not come in direct and frequent contact. We are here pledged to legislate in the interest of those who most need legislation; those who do not participate in legislation, except in a very indirect way; and I would hesitate to give my consent to pass lightly—I had almost said flippantly—over an item that is fraught with so much importance to a class of people who most need government and the protection it can afford them. I would not like to stand before this element of the American people and say to them, "We have protected the manufacturers and the grain growers and the iron miners; but when it came to this little item," which is of more importance to them than the larger items are to those interested in them, "we had treated it with levity and without much consideration receded from the careful and earnest conclusion that had been reached by the committee having this bill in charge and having reported it."

No figures have been given professing or attempting to show the amount of the product that would be affected by this reduction. I assume that the committee had some figures before it when it disagreed with the House bill and proposed this amendment. Where are those figures, and what do they demonstrate? There are hundreds of thousands of homes in the United States that depend upon the surplus of this product for the cash, and the very limited amount of cash, that they have in their daily affairs of life. They have no thousand bushels surplus grain to sell; they have no surplus products of the mines or the forests to sell. They have that which will produce for them a few

petty dollars, but which in their lives are more important than the 6 per cent derived from the larger transactions of life.

I think we ought not with such haste to pass over these items. We have no knowledge of the reasons that actuated the committee in receding from this amendment. We will be charged with having disregarded the rights of this element of the people, because they were helpless. It will be charged that they had no one here to speak for them and to protect the little balance that they derive from this product.

More than one-half the cattle killed in the United States are owned by farmers, and they do not go to the packing houses. More than 50 per cent of the pigs raised in the United States never see a packing house.

Mr. NELSON. Mr. President, will the Senator permit me?

Mr. HEYBURN. Certainly.

Mr. NELSON. The figures in the Tariff Notes show that, in 1907, we exported in round numbers about 460,000,000 pounds of bacon and ham, and we imported only 475,525.85 pounds. The total value of our exports of ham and bacon was about \$50,000,000, and the total value of the imports of ham and bacon was only \$102,134.19.

Mr. ALDRICH. What was the figure first given by the Senator?

Mr. NELSON. I have figured the bacon and the ham together. The exports of the two amounted to 460,000,000 pounds.

Mr. ALDRICH. The exports.

Mr. NELSON. Yes; of the value of about \$50,000,000, and the imports were only 475,525.85 pounds.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. Certainly.

Mr. WARREN. I assume that the Senator who is so ably defending this product can acknowledge that there are large exports of meat products from this country at large, and yet it is nevertheless necessary for us to protect those who live on the border, on our northern border and on our southern border. There are many other products that we both export and import for which we have to provide some protection, especially along the borders of other countries.

Mr. HEYBURN. I had the figures before me when I made the remarks which I uttered. I am perfectly well aware of the fact that we have imported a very trifling amount of this product, and the reason why we have not been importing it in very much larger degree is because of the protective-tariff policy of the Republican party. A product that we can produce in such a large amount is one that should be protected, inasmuch as it is because of protection that we have been producing it; and the relation between the exports and the imports is a direct result of the policy of the Republican party; and you can find it not only in this item in the schedule, but you can find it in dozens of others, and we boast of it.

Mr. BEVERIDGE. The Senator from Idaho, upon reflection, will see that that can not be, because we are by far the greatest exporters and dealers in the markets of the world in articles like ham and bacon of any nation or any two nations in the world; and we export these enormous quantities, importing practically none, and we can meet the competition of the whole world in the free markets of the world. The Senator will see his logic there does not hold together.

Mr. HEYBURN. I think it holds together all the more firmly.

Mr. TILLMAN. Does the Senator from Idaho seriously contend that the protective tariff has anything to do with the number of hogs produced in our great corn belt?

Mr. HEYBURN. This is not a geographical discussion, nor is it to be measured by geographical distinctions.

Mr. TILLMAN. At the same time, when we produce more corn than all the balance of the world put together, and produce more hogs than all the balance of the world put together, how can the Senator say that the protective tariff has anything to do with it?

Mr. HEYBURN. That is the old, old, old argument, which has been advanced by the free trader since the foundation of the Government, and it is no more formidable now than it was when the old disciples of protection first formulated and established the doctrine of protection. Experience has shown the fallacy of it better than any words I could utter.

Mr. TILLMAN. Does the Senator think the protective tariff has anything to do with cotton? We made last year 13,000,000 bales. We have no protection on it. We would have made it if we had had a dollar a pound protection on it, because it would not have affected it or had any more influence upon it than the wind—not as much, because the wind would blow some of it out.



Mr. HEYBURN. I am not to be inveigled into discussing the cotton schedule. We have just listened—

Mr. TILLMAN. I am not discussing the cotton schedule. I am trying to get the Senator to explain his claim that the protective-tariff policy enables us to grow hogs and cotton.

Mr. HEYBURN. In order to explain it, I must have an opportunity to do so.

Mr. TILLMAN. I will give the Senator all the opportunity he wants. He never will be able to do it.

Mr. HEYBURN. I thank the Senator from South Carolina for his generous concession, and I will try to develop the idea a little further.

The argument suggested by the Senator from Minnesota would be true of wheat. We export vastly more wheat than we import. We protect wheat by a duty, and that makes us master of the wheat market.

Mr. NELSON. Will the Senator yield to me?

Mr. HEYBURN. Certainly.

Mr. NELSON. The protective duty on wheat up to this time has been of no earthly value to the wheat farmers.

Mr. HEYBURN. It is not the first time—

Mr. NELSON. I wish the Senator would wait until I get through. We have been an exporter of wheat and are yet, and as long as we are exporting wheat the price is fixed by the Liverpool price, and if it were not for the drawback provision contained in the Dingley law to-day, we should not need any protection for wheat for years to come.

Mr. HEYBURN. This is not the first time in my life when I have had occasion to observe people who were unconscious of the blessings that they live under and enjoy. It has other names, but that will sufficiently express it. The Senator is evidently in favor of free trade in wheat. I infer as much. He has lived and his people have grown prosperous and fat on the protective-tariff policy of the Republican party, and they have become so accustomed to the blessing that they have forgotten its source.

Mr. President, I do not need with Republicans to commence at the genesis of protection to illustrate the beneficial results which the people have derived from it.

Mr. NELSON. Will the Senator allow me?

Mr. HEYBURN. Yes.

Mr. NELSON. If the Senator is correct, I expect to get 30 cents a bushel more for my wheat than I have ever gotten before.

Mr. HEYBURN. The Senator will probably get for his wheat a price controlled by and in proportion to the duty that he has been enjoying all these Republican years.

You might imagine, not only from the remark of the Senator from Minnesota, but from some remarks that I have heard here for weeks, that this Government came into existence yesterday, and that the protective policy was not yet tested. These conditions of prosperity that are held up as the reason why they do not need protection are the very results of protection, and you take away that prop and you will find the conditions of business sinking back in proportion to that which you lose by taking away the protective tariff.

I believe I am a consistent protectionist. I have no more interest in this question than have millions of people in this country. We would do less than our duty if we failed to maintain existing conditions, the existing status of the business in this country.

I have heard much about revision downward, and this suggestion seems to me to be along the line of the claim that we must, wise or unwise, revise the tariff downward.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Rhode Island?

Mr. HEYBURN. I yield.

Mr. ALDRICH. I made these suggestions with the hope of avoiding discussion. It seems I have not accomplished that purpose.

Mr. BACON. I hope the Senator will speak so that we may hear him.

Mr. ALDRICH. I desire further to say to the Senator from Idaho that the rates that are left in this bill are protective if the amendment which I propose to withdraw is withdrawn. I have no question whatever about that. I am not failing in my duty as a protectionist in making this change. There is no possibility at 4 cents a pound of any large importations of bacon and ham into this country. When the duty which was imposed by the Wilson bill, about 8 cents a pound, was in operation there was no increase in importations. There is no possibility that if this change is made upon lard, from 2 to 1½, there will be any increase in the importations of lard. There was no increase when the Wilson bill was in operation; and I

will say to the Senator now that if we must place rates so high that we can attempt through those rates to say to the farmers of the country, "We are protecting you by a duty which is absolutely impossible," we are trying to do something which as protectionists we should not try to do, in my judgment.

I think that the rates which will remain if these amendments are made are amply protective, and I should be bound to say that to any farmer or to anybody else in the United States.

Mr. HEYBURN. Mr. President, my experience has taught me that when you talk to the farmers and to the others to whom the Senator refers they are very apt to talk back, and they do not necessarily accept the statement that it is sufficient. They want to know if that is sufficient, why the Republican party has been doing more than sufficient in the way of protecting them. We have talked to these people throughout the country during the last and other campaigns, and we have told them that the measure of protection which the Republican party gave them was necessary for their success and for their benefit.

Mr. ALDRICH. If the Senator will permit me—

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Rhode Island?

Mr. HEYBURN. I yield to the Senator.

Mr. ALDRICH. The committee and the Senate, following the recommendations of the committee, have reduced the duties on nearly 350 items in the bill. They have not in any case reduced them below what was in their judgment the protective point; and it is not possible for us to say to the people of the United States that in making those reductions we have abandoned the protective principle in any one of them. I do not intend to go before the people of this country, or to have anybody else go before the people of this country, and say that we have abandoned the protective policy because we have reduced in our judgment the duties imposed by some of these paragraphs.

Mr. HEYBURN. We are now in process of inquiring whether or not the existing duty is necessary. The Senate has not passed upon that question. There is in the consideration of the bill to be borne in mind always that until we vote upon these schedules, the Senate has not spoken. Our committee has spoken and told us that it was necessary to restore the existing duty. Now, in the flash of an eye, they say no, it is not necessary.

I am not standing here to criticize the committee. I am standing here to defend the deliberate action of the committee that reported the bill. I care not if we have reduced the rate upon so many hundred articles. I doubt the wisdom of some of those reductions. I will trust the ultimate wisdom as shown by the vote when it is finally taken. The wisdom of the Republican party is not yet determined. The wisdom of the Senate of the United States is not determined until we vote upon these measures. I am inclined to be rather impatient with the impatience that is going on here to pass upon measures without that consideration which an individual Senator thinks they are entitled to.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield?

Mr. HEYBURN. In a moment. It is the individual judgment of each Senator that is entitled to consideration in this body. A measure is not ripe for vote or for final consideration until the individual Senators have exercised what in their judgment is a sufficient time in the consideration of these matters. It is much more important that we do this great task as it should be done than that we do it within a given number of days or hours. There are many features of the bill yet to be considered, and so far as I am concerned I shall, with the consent of the Senate, and under the rules of it, take such time for the consideration, either in silence or in speech, as in my judgment the occasion requires.

Mr. GALLINGER (in his seat). The Senator has not been suppressed?

Mr. HEYBURN. The Senator asks me if I have been suppressed. No; nor have I been guilty of occupying more of the time of the Senate than in my judgment it was necessary or proper to occupy. We will not get into the field of personalities. I invoke the patience of the Senate. The committee has tended to confirm that in my mind which they now count an error. The field of information in regard to this matter is open to all of us. There is no Member of this body who has stood for the protective tariff policy and principle longer than I have, so far as it is represented by the Republican party to-day. I would not be a Republican one hour if it were not that it stands for the protective-tariff policy.

The Senator from Rhode Island says that 3½ cents will protect this industry fully as well as 4 cents. That is a question upon which men may differ. We have grown up in the great Northwest the industry represented by these items in a measure

that is little apprehended by those who only know us upon the map. There have been years in that country when wheat on the market would not bring 20 cents a bushel, when we brought in hogs by hundreds and thousands and fed the wheat to them. It was the best market we could get. I know communities to-day as large as some of the States that have no transportation for their grain. They raise the wheat and they raise the pigs, and they feed the wheat to the pigs and drive the pork to the market on foot. I have seen vast herds of these animals bringing down the farmer's crop to the railroad to be converted into a marketable commodity, and sold not to the meat trust, but the surplus of these ranches sold into the markets of consumption.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Rhode Island?

Mr. HEYBURN. I yield.

Mr. ALDRICH. Is the Senator willing to allow me to make a motion to reconsider this question and test the sense of the Senate? I have no pride of opinion—

Mr. HEYBURN. I do not know why the Senator should seek to take me off my feet while I am speaking.

Mr. ALDRICH. I will wait until the Senator is through.

Mr. HEYBURN. I think, with all deference, the Senator will probably be under obligations to wait until I have yielded the floor. I am not speaking for the sake of making a speech. I am speaking because I hope to find lodgment in the thoughtful minds of some Senators, or enough of them, to answer as it should be answered this appeal to the people who produce the live stock that feeds the great cities of the East. It not only affects the class of small producers to whom I have referred, but it affects all the stock raisers in our country. What do you suppose the purchasing market in Chicago would say to us when we go down there with 1,500 or 15,000 pounds of this commodity, or the raw materials to be converted into it? They will say to the people "half a cent less this year, because the duty is reduced half a cent." Have we not heard that story? Is it not the doctrine we have been preaching to the American people for half a century? It does not matter whether they will import the equivalent of this deduction or not; that is not the question. We have never reasoned any schedules from that standpoint.

I am ready, when I have finished the few remarks I have to make, to submit it to the Senate. Of course, there is one part of the Senate that is in favor of any reduction that is proposed. There is another part of it that I had not hoped to find in favor of a reduction without consideration, merely upon the statement of the chairman of the committee that they would recede from the amendment which they had proposed, and which we had accepted as the ultimate wisdom of that committee.

We have a million head of cattle, conservatively stated, one-third of which are marketed every year. The price in Chicago of such as go to Chicago will bear in its consideration the reduction in the duty. Those men will say, "We can buy Canadian cattle now"—

Mr. ALDRICH. Mr. President, the Senator knows as well as I that he is discussing a matter which is not before the Senate. The question of the duty upon bacon and hams has nothing to do with the price of cattle in Chicago or anywhere else. Of course, the Senator has a right to make any kind of discussion he pleases and to take as much time as he pleases, but he is discussing something which is not involved in the motion which I propose to make as to paragraph 280.

Mr. HEYBURN. The motion of the Senator from Rhode Island included the four items.

Mr. ALDRICH. It includes only one item that I propose to ask the Senate to reconsider. I shall propose, whenever I have an opportunity, that the Senate shall reconsider its action on paragraph 280 relating to bacon and hams.

Mr. HEYBURN. If I am not mistaken, the Senator said paragraphs 280, 281, 282, and 284.

Mr. ALDRICH. The Senator is mistaken. I am only asking now to have paragraph 280 reconsidered.

Mr. HEYBURN. Mr. President, I am not so very particular as to the exact application of my remarks to the live item or the dead item; whether it be the live pig or the dead pig makes little difference. I understand the relation between a live animal and the product of the live animal perfectly well.

I had hoped not to have heard again the admonition that we were losing time for some one. I trust that I am not losing time, and I think this measure will go much more smoothly if these expressions of impatience are limited. We sit here for days and hear speeches that involve the entire system of government throughout the process of the ages. This is not an academic question. It is a question of real interest. To be

told in this hour that the reduction of the duty upon a product of the farm does in no way affect the profit of the producer is a new doctrine.

Mr. CUMMINS. Mr. President—

The VICE-PRESIDENT. Will the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. Certainly.

Mr. CUMMINS. Do the farmers of Idaho believe that this duty affects the price of their hogs?

Mr. HEYBURN. I will communicate with some of them, and I will give just the kind of an answer the Senator wants. I will telegraph them.

Mr. CUMMINS. I do not—

Mr. HEYBURN. I say that in all good spirit.

Mr. CUMMINS. I ask, Do your farmers believe that this duty on bacon and hams affects the price of their hogs? Do you think so?

Mr. HEYBURN. Does the Senator believe that the duty on wheat affects the price of wheat?

Mr. CUMMINS. I do not.

Mr. HEYBURN. Then the Senator and I do not belong to the same school of politics.

Mr. CUMMINS. I believe we produce hogs—I am now speaking of the four-footed, entirely—cheaper than any other country upon the face of the earth. I represent a State that markets annually 10,000,000 hogs, probably more than the State of Idaho markets in a good many years. Our farmers do not believe that the duty on bacon and hams has anything whatsoever to do with the price of their hogs. I ask the question in the utmost good faith.

Mr. HEYBURN. What farmers?

Mr. CUMMINS. All our farmers. If the Senator will allow me just a moment, we are as firmly wedded to the doctrine of protection as is the Senator from Idaho. We believe that the system of protection does have a great deal to do with the price of everything sold in this country.

Mr. HEYBURN. Why not hogs?

Mr. CUMMINS. But we do not believe that the duty on bacon and hams has anything to do with the price of hogs, because we—I am speaking now of Iowa—are the largest exporters of the product of hogs of any State in the Union. Therefore I wanted to know whether the Senator down in his heart believes that this duty on bacon and hams has affected, or can affect in any way, the market value of hogs, because I am sure that the farmers of my State have never been deluded by any such notion.

Mr. HEYBURN. We have about 4,000 farmers in one part of Idaho who came from Iowa.

Mr. CUMMINS. And good ones.

Mr. HEYBURN. They came there because they thought they could better their condition. I say that in no disrespect to Iowa. When I went among them last fall—

Mr. CUMMINS. They went there to get cheaper land, and—

Mr. HEYBURN. I will yield to the Senator in a moment.

The VICE-PRESIDENT. The Senator from Idaho declines to yield.

Mr. HEYBURN. I will finish my sentence. When I went among those farmers in the Kootenai Valley last year, and they said to me: "What interest has the farmer in protection?" I said, "Four dollars a ton on your hay." They have lines of stacks of it there, such as you never saw outside of the Platte. I said, "You have \$25 a head on your horses," so much on your swine, so much on your sheep, so much on your vegetables, and so much on all the commodities you produce. They opened their eyes, and they said: "I guess this old Republican party is worth inquiring into." They wanted to know more about it, and the more I told them the better they liked the principles, and that one county gave 2,000 Republican majority, when it used to go Democratic.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. HEYBURN. Yes.

Mr. BEVERIDGE. Did not those farmers know they had this protection until the Senator told them? He said he opened their eyes.

Mr. HEYBURN. I will leave the Senator from Indiana to cipher that out in his own way. It is very easy to ask a question like that; it sounds trite, and at first glance one would think he had to answer it; but, Mr. President, I do not feel that to enter upon a discussion of those farmers now would shed any light upon the facts. The fact is that those people are on the inquiry as to how the duty on manufactured products affects the farmer, and they would like to have some one who has the patience to explain to them—



Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Indiana?

Mr. HEYBURN. I do.

Mr. BEVERIDGE. The Senator said that he went up into that beautiful valley and the farmers said to him, "What interest have the farmers in protection?" Then he told them about the tariff on hay, and so forth, and he "opened their eyes." I wondered whether the farmers were ignorant of the fact that they had this protection until the Senator told them.

Mr. HEYBURN. With all due consideration for the Senator from Indiana, there is not very much argument in that kind of a statement. It might be disrespectful to say it is like making faces at a man because you differ with him. It does not count in determining the result. I have back of me the record of the Republican party and the utterances in the platform from the beginning. Read the platform of the Republican party in 1860, and you will find written there the doctrine and the kind of protection that I stand for to-day.

Mr. BACON. Mr. President—

Mr. HEYBURN. The principle has not changed.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. BACON. Will the Senator permit me to make an inquiry of him?

Mr. HEYBURN. I yield.

Mr. BACON. I just desire to know, Mr. President, if the Senator from Idaho really endeavored to make the residents of that fertile valley believe that under the tariff each and every person got \$4 a ton more for his hay than he would get but for the existence of the tariff, and \$25 a head more on each of his horses by reason of the tariff? I want to know whether the Senator really endeavored to make them believe it, and did make them believe it?

Mr. HEYBURN. Yes; I told them that in the strife of competition between the American people and those outside of our country they had the advantage of \$4 a ton on hay; that a man who brought his hay to the Canadian line had to pay \$4 as an admission fee before he could get it in to compete with them, even at the same price. That is what I told them—

Mr. BACON. That is, the duty on hay—

Mr. HEYBURN (continuing). And they liked the doctrine.

Mr. BACON. The duty on hay is \$4 a ton?

Mr. HEYBURN. Yes; \$4 a ton is the duty on hay.

Mr. BACON. Then the Senator does subscribe to the doctrine that the domestic price is found by adding the amount of duty to what would otherwise be the price? Does the Senator subscribe to that?

Mr. HEYBURN. I might go into an academic—

Mr. BACON. That is a very simple question.

Mr. HEYBURN. Mr. President, the Senator has the privilege of asking me a question, and I have the privilege of framing my answer according to my judgment. I will answer him before I am through.

Mr. BACON. There is no doubt of it.

Mr. BURKETT. Let me answer the Senator from Georgia.

Mr. BACON. No; I insist that the Senator from Idaho is able to take care of himself.

Mr. HEYBURN. I am going to answer the Senator just as soon as I am not compelled to speak a duet.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. HEYBURN. The Senator from Georgia has specially requested me to answer, and, out of courtesy to him, of course I shall answer.

The VICE-PRESIDENT. The Senator from Idaho will yield to the Senator from Nebraska later.

Mr. HEYBURN. I will yield to the Senator from Nebraska after I have answered the Senator from Georgia. The confusion may have made the question somewhat obscure. Will the Senator kindly state it?

Mr. BACON. I simply desire to know of the Senator whether he endeavored to make the people of that valley believe that the hay was worth to them \$4 a ton more than it would be worth to them but for this duty of \$4 a ton?

Mr. HEYBURN. Yes; I did. I did not have much trouble. They are intelligent men up in that valley. I said to them, "These Canadians can not come in and sell in your market without first paying the entrance fee of \$4 a ton."

Mr. BACON. That is simply a preliminary question. I understand the Senator to say that that was his purpose. I then asked of the Senator the further question—

Mr. HEYBURN. My purpose—

Mr. BACON (continuing). The further question, if he subscribed to the proposition that the domestic price of an article

in this country is increased by the addition of the amount of duty imposed upon imports of a like character.

Mr. HEYBURN. What does the Senator mean? What basis of increase?

Mr. BACON. Increase over what it otherwise would be.

Mr. HEYBURN. Oh, that the price is controlled by the import duty the rival has to pay? Yes.

Mr. BACON. In other words, it increased it \$4.

Mr. HEYBURN. Yes. Now, I want to answer that.

Mr. BACON. That is sufficient.

Mr. HEYBURN. No; I will submit that question, if I may be permitted to answer—

Mr. BACON. Undoubtedly.

Mr. HEYBURN. If the Kootenai Valley farmer who had his hay did not have the protection, he would not have the market, because the Canadian would come in and sell his hay.

Mr. BACON. The Senator has given his reason, but that does not change the fact that the domestic article is increased in price by the amount of the duty imposed. That I understand to be the suggestion. The Senator gives the reason for it otherwise. I want to follow that with another question. If that is true in the matter of hay, is it not also true in the matter of beef? Is it not true, if that is so, that the people of the United States have to pay 25 per cent more, because that is the ratio, 18 per cent, I believe, in beef and 23 in ham? If that is true, is it not then necessarily true that by the imposition of 2 cents a pound on fresh meat, the consumers of the country have to pay 18 per cent more for the meat than they would have to pay if the 2 cents were not upon it?

Mr. HEYBURN. They do not pay it to the foreigner; they pay it to the man with whom they are in business, because every American is a member of the partnership that represents this great compact of government.

Mr. BACON. For the purpose of argument, I fully concede that; but that does not change the fact that according to the contention of the Senator the people of the United States have to pay 20 per cent more for the beef they eat than they would have to pay if the 20 per cent duty were not on it.

Mr. HEYBURN. They have to pay this to themselves.

Mr. BACON. I grant you that.

Mr. HEYBURN. Not to the foreigner—

Mr. BACON. But the consumer has to pay it all the same, does he not?

Mr. HEYBURN. The consumers themselves are considerable producers.

Mr. BACON. Very well. I will concede all those side points which the Senator makes; but the direct issue is this: Is it or is it not true, according to the contention of the Senator, that the imposition of 2 cents a pound on beef makes the consumer, the man who buys it and eats it, pay 20 per cent more for it than he would have to pay if the 2 cents were not on it?

Mr. HEYBURN. It prevents the stranger from coming into the household and interfering with our business.

Mr. BACON. That is all right. I will not enter into that; but the question is reduced at last to the conclusion that it forces the man who goes to market to buy the meat he consumes, according to the admission of the Senator, to pay 20 per cent more for it than he would have to pay if the 2 cents a pound were not on it.

Mr. HEYBURN. He has the 20 per cent—

Mr. BACON. He will not have it long if he has to pay this price.

Mr. ALDRICH. Mr. President—

Mr. BACON. The Senator from Rhode Island will pardon me a moment, until I have gotten through my little dialogue with the Senator from Idaho [Mr. HEYBURN]. That disposes of this question.

Mr. HEYBURN. Mr. President, I yielded in order that the Senator from Georgia might state his views on the meat question.

Mr. BACON. But I have not concluded. I want to ask the Senator another question in regard to it.

Mr. HEYBURN. The Senator from Georgia says now that disposes of it.

Mr. BACON. No.

Mr. HEYBURN. If the duties—

Mr. BACON. Let me take this up—

Mr. HEYBURN. I do not care to take that up.

The VICE-PRESIDENT. The Senator from Idaho declines to yield further.

Mr. HEYBURN. I decline to yield to the Senator on a new subject.

Mr. BACON. I wish to make now a similar inquiry of the Senator from Idaho as to bacon and hams as I did to lard.

Mr. HEYBURN. The same rule applies.

Mr. ALDRICH. Mr. President—

Mr. HEYBURN. Now, if the Senator will excuse me just for a moment—

Mr. ALDRICH. Will the Senator yield to me just for a moment?

Mr. HEYBURN. Yes.

Mr. ALDRICH. Mr. President, whatever may be the views of the Senator from Idaho I am not certain; but if anyone expects me not to make a protest against the doctrine that a protective duty is added to the cost of the domestic product, then I decline to make any such concession.

Mr. HEYBURN. Mr. President, I hope the Senator—

Mr. ALDRICH. It is repugnant to my ideas as a protectionist; it is repugnant to every principle of protection; and it is repugnant to my intelligence as a man.

Mr. HEYBURN. Now, Mr. President—

Mr. BACON. If the Senator will pardon me—

Mr. HEYBURN. Mr. President—

Mr. BACON (continuing). I should like to say a word to the Senator.

The VICE-PRESIDENT. The Senator from Idaho declines to yield.

Mr. HEYBURN. If the Senator will pardon me, I will not yield just now.

Mr. President, the Senator from Rhode Island [Mr. ALDRICH] has expressed exactly the political doctrine to which I adhere. I have already stated repeatedly to the Senator from Georgia [Mr. BACON] that the duty is not added to the cost of the article, but that it is a barrier against the intrusion of a man who comes in to undersell you. The price which the American producer receives is a fair price for his labor upon the standard of American labor and the American method of doing business. We do not have to inquire what the motives or the intentions of the intruder are. We know that the compensation which the producer in this country receives—whether he is a producer of labor or of material or of whatever you may choose—that the compensation is based upon a fair remuneration to the producer. That is the basis.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. Will the Senator from Idaho permit me one word further?

The VICE-PRESIDENT. Does the Senator from Idaho yield, and to whom?

Mr. BEVERIDGE. Just for a question.

Mr. HEYBURN. I yield to the Senator from Indiana.

Mr. BEVERIDGE. Then, according to the last statement, the Senator from Idaho did not tell the farmers of the Kootenai Valley that they were getting \$4 a ton extra for their hay?

Mr. HEYBURN. They were not. They were getting what their labor was worth; they were getting what they were entitled to receive on an American basis, and not on the basis of some foreign country. I do not measure the merits of American citizenship by the standard of a foreign people. I measure them by the standard of American principles and by that which Americans are entitled to have and to do and to receive.

Mr. BACON. Will the Senator pardon me for just a minute?

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. Yes, sir.

Mr. BACON. I simply desire to say that the Senator had so emphatically stated the proposition as to the amount which was added to hay and to beef, and so forth, that when the Senator from Rhode Island [Mr. ALDRICH] got up to protest against it, and addressed his remarks to me, I said that I hoped he would turn to his colleague and address his remarks to the Senator from Idaho and not to me, as it was his proposition and not mine.

Mr. HEYBURN. Well, now, Mr. President—

Mr. BACON. I want to say that I shall be perfectly content with the colloquy which has ensued if it shall appear in the RECORD exactly as it has occurred in the Senate.

Mr. ALDRICH. I have heard the Senator from Georgia so often make the statement here—

Mr. BACON. Never.

Mr. ALDRICH. That the protective tariff was costing the people of this country anywhere from two thousand to twenty thousand million dollars every year in the advance of prices, that I could not refrain from addressing my remarks primarily to the Senator from Georgia.

Mr. BACON. The Senator will recognize, however, that that particular contention was with the Senator from Idaho [Mr. HEYBURN]. I want to say to the Senator, that as to the remarks which he attributed to me, I notice none of the Senators on the other side has ever sought to controvert them when they were made.

Mr. ALDRICH. We have never had time yet.

Mr. HEYBURN. Or opportunity.

Mr. BACON. I hope that you will find time.

Mr. HEYBURN. Mr. President, the American people have had the time and have improved it. They understand it. Here is the doctrine that I stand for, and the Republican party stands for it to-day. I read from a rather old record:

12. That, while providing revenue for the support of the General Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchange which secures to the workmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the Nation commercial prosperity and independence.

That platform ought never to have been changed in a word or phrase in any Republican platform that ever has been written since that day. That is the platform of 1860.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. HEYBURN. I do.

Mr. BACON. I beg that the Senator will pardon me when I make the suggestion that the next time he goes among those benighted Idahoans in that happy valley, he will undeceive them and not have them still labor under the misapprehension under which his former address left them.

Mr. HEYBURN. Mr. President, that valley is a very small part of the State. The Senator from Iowa [Mr. CUMMINS] spoke of the great product in pork, alive and dead, in that State. It is true. They have about fifty years' advantage of some other States, but at the same period of the development of the State of Iowa it did not produce one-half the pork which Idaho produces to-day. The southern part of Idaho, which is in square miles something larger than the State of Iowa—and I do not say that for the purpose of speaking lightly of the State, but it is a geographical fact—

Mr. CUMMINS. They could not help it.

Mr. HEYBURN. No; they could not help it; but that section of the State to-day is raising increasing areas of alfalfa, which is the natural food of the pig. He eats it from the time he commences to eat anything until he is fat enough for market, and you do not need to supplement it with anything else. They feed it to him as grass or as hay or ground into meal. They raise from 6 to 8 tons of alfalfa an acre; they can raise it on a million acres of land there, and they do now raise it in vast quantities. The natural market for it is that which produces the bacon and the meat. In the fall you will see those valleys with lines of stacks of alfalfa as far as the eye can see, and the next spring you will see fatted animals ready to go onto the range without any evidence of a hard winter. That is true of all kinds of stock.

I am not speaking for Idaho alone in this matter. It is high time that we take stock and ascertain where we stand here in regard to this principle for which the Republican party stands. We will not whittle it away. A good many millions of American people indorsed it only a few months ago. You could not go into Idaho and win for the Republican party and eliminate the tariff from the presentation of your cause. They are, as I am, Republican, because they believe in the principles contained in that platform which I read to you a few moments ago; and I do not propose to go back in the next campaign in Idaho and apologize to them for the Republican party for its loyalty to the principles of protection. I reflect upon no Republican's loyalty.

The Senator in charge of the bill suggests that the criticism of the proposal to withdraw the House provision carries with it a suggestion that his judgment in regard to what constitutes protection is under indictment. I intend nothing of the kind. There has been no man in the United States more loyal to the principles of protection than the Senator from Rhode Island. It does not follow, however, that other men entertaining views on that subject may not enter into counsel with him. I follow no man. I go with any man who goes where I think is right. It is not reasonable that any man should expect you to waive your judgment to follow what are called "leaders." Strong men, men capable of action, move together and keep step in the march toward the goal of destiny; they are not strung out along the road trailing like sheep after a leader.

I say this in justification of the position that I take. Though I stand alone in this Chamber in my views, yet in the performance of a conscientious duty to principle and to the people, I dare to express these sentiments, because I know they are the heart and the soul and the salvation of the Republican party.

Mr. ALDRICH. Mr. President, there can be no question whatever about the measure of protection that is afforded by



the rate of duty fixed by the House in paragraph 280. If I thought there was, certainly I should not ask the Senate to reconsider its action; but I believe that there is no question of the adequacy of the protection upon the items in that paragraph, and I am quite willing, if the Senate thinks otherwise, that they should vote otherwise.

Mr. WARREN. Mr. President, will the Senator permit me? Mr. ALDRICH. Yes.

Mr. WARREN. I was not in when the Senator announced his purpose as to certain paragraphs, but I understand from the discussion that he proposes to withdraw the Senate amendments to paragraphs 280, 281, and 284. The facts being that the House bill made the duties less on bacon and hams and lard than under present laws, and the Senate amendments propose to restore the Dingley rates on bacon and hams in paragraph 280, and on lard in paragraph 284. But what about paragraph 281? The Senate amendment as to fresh beef, veal, mutton, pork, and venison and other game, except birds, ought to stand and the rate remain at 2 cents per pound, instead of 1½ cents, as the House bill proposed.

Mr. ALDRICH. As to paragraph 281, I agree that there may be some question. The duties imposed by the House of 1½ cents a pound on fresh meat may not allow adequate protection, but as to paragraphs 280 and 284, I think there is no question about the adequacy of the protection under the House provision.

Mr. WARREN. The Senator is right; that there is a difference, in that hams and bacon and lard are available for transportation all over the country to a greater extent than are fresh meats. Therefore these commodities can be shipped from the interior to our border and the protection be the same, or nearly so, on our Mexican or Canadian line as in the interior; but with fresh meats it is different, as they are highly perishable and bulky and heavy to transport.

Mr. ALDRICH. Yes.

Mr. WARREN. I think we ought to be especially careful in regard to the duty on fresh meat.

Mr. ALDRICH. I am willing myself not to make this suggestion as to paragraph 281, because I agree that in that respect there is a chance for division of sentiment.

Mr. WARREN. I hope the Senator will withdraw the proposition to reduce the duty in that paragraph.

Mr. ALDRICH. I withdraw the proposition as to paragraph 281, because I think it is doubtful whether it is not all right as it is; but as to the other paragraphs, there can be no question whatever but that the rates imposed by the House are sufficient for protective purposes.

Mr. BEVERIDGE. The suggestion, then, covers everything except paragraph 281?

Mr. ALDRICH. It covers paragraph 280, in regard to bacon and ham, and paragraph 284, as to lard.

The VICE-PRESIDENT. As the Chair understands, the motion of the Senator from Rhode Island is to reconsider the vote by which the committee amendment to paragraph 280 was agreed to.

Mr. ALDRICH. That is correct.

Mr. CULBERSON. Mr. President, to the question discussed a moment ago by the Senator from Idaho [Mr. HEYBURN] and the Senator from Georgia [Mr. BACON], as to whether or not the protective duty was added to the price of the article, I want to advert for a moment. I think it was on Friday last that I read to the Senate, during the speech of the Senator from Missouri [Mr. STONE], a statement in a report of Alexander Hamilton during the days of the Confederation, in which he took the distinct position that the protective duty was added to the price. That same doctrine is laid down in the report of Secretary Walker in 1846, and, so far as I know, it is not seriously contended to the contrary; that is to say, no one contends that the duty may not be added to the price.

I have arrested these proceedings temporarily for the purpose of putting into the Record a statement of another distinguished Republican, to the effect that the duty is added to the price. I read from the hearings before the House Committee on Ways and Means in 1908, which I happened to have in my hand when this matter was being discussed. I read from page 1816:

Mr. BONYNGE. If we put steel products on the free list, the present price to the consumer would practically be maintained, in your judgment?

Mr. CARNEGIE. No; I think that the tendency of combination is to raise prices and to exact from the consumer what they safely can.

Mr. BONYNGE. But as to steel rails, I understood you to say, in answer to Mr. Cockran, that you believed the price of \$28 would be maintained; if steel rails were put on the free list, that the price would be maintained.

Mr. CARNEGIE. Excuse me; I did not say that the price would be maintained—

That is, he does not say that the prices would be maintained if steel rails were put on the free list—

but I do say that the present arrangement is a fair one, in my judgment, between the consumer and the producer. Let me show you the difference. If there is no tariff—

I invite attention to this, as he emphasizes the question of combination—

the combination comes together and fixes a price, and it will fix a price lower than if there is a tariff. I think you will agree with me that the tendency of human nature is to get a good profit.

Mr. BONYNGE. Certainly.

Mr. CARNEGIE. And that the tariff would enable them to raise the price to the extent of the duty.

Mr. BEVERIDGE. What did he say about ore?

Mr. CULBERSON. I have nothing at this point as to what he said on the subject of ore.

Mr. ALDRICH. Will the Senator from Texas permit me to make a suggestion?

Mr. CULBERSON. I am through, Mr. President. I only wanted to put in the Record this testimony of a distinguished Republican.

Mr. ALDRICH. We have had half a dozen Senators putting certain portions of Mr. Carnegie's testimony into the Record. It seems to me that it might be wise for the Senator from Texas, or some other Senator, to put his whole testimony into the Record as a Democratic text-book. I have no doubt that it will be used for that purpose for the next twenty years; and it seems to me that these frequent publications of it are entailing unnecessary expense upon the public.

Mr. BACON. I would suggest, Mr. President, that the Record is open to the honorable Senator from Rhode Island.

Mr. BAILEY. I ask that it be printed separately as a public document.

Mr. ALDRICH. I have no objection to that. I think that is a very admirable suggestion.

The VICE-PRESIDENT. The Senator from Texas asks unanimous consent that the matter referred to by him be printed as a public document.

Mr. SCOTT. I object to that.

The VICE-PRESIDENT. Objection is made.

Mr. HEYBURN. Mr. President, I desire merely to make a statement. The Senator from Rhode Island withdraws his motion restoring the House provisions as to beef, veal, mutton, and pork.

The VICE-PRESIDENT. The present motion covers paragraph 280 only.

Mr. ALDRICH. Then, I ask unanimous consent, Mr. President, that the votes by which the amendments to paragraphs 280 and 284 were agreed to may be reconsidered for the purpose of withdrawing the committee amendments to those two paragraphs.

Mr. BACON. Mr. President, the only objection I have to that suggestion is that that would leave paragraph 281, possibly, in a condition where it would be necessary to reconsider it, whereas, as the fact is—

Mr. ALDRICH. That can be taken up hereafter.

Mr. BACON. I know; but I want a vote taken. I have no objection to the suggestion as to the other two paragraphs; but I made the distinct point when it was read—and it is so marked on my copy of the bill—objecting to paragraph 281. So a motion to reconsider is not necessary. It was passed over, and Senators around me who made a memorandum at the same time all agree with me in the fact that paragraphs 280, 281, and 284 were objected to by me at the time and passed over.

Mr. ALDRICH. The suggestion now is only as to paragraph 280 and paragraph 284.

Mr. BACON. I have no objection to that; but I do not wish, by failing to object to that, to recognize that I have to make a motion to reconsider paragraph 281.

Mr. BEVERIDGE. They were all agreed to, according to the statement of the Chair.

The VICE-PRESIDENT. There is no question but that paragraph 281, as well as paragraph 280, was agreed to. The Senator from Georgia will find a statement of that fact in the first column of page 1496 of the Record; and some little time later, as appears in the second column on the same page of the Record, the Senator from Georgia asked that they be passed over, and the Chair then stated:

Paragraphs 280 and 281 will be passed over. There was an amendment in each of those paragraphs, which was agreed to. The paragraphs will be passed over with the amendments agreed to.

Mr. BACON. I do not doubt the correctness of that statement. All I say is that at that time it was not so understood by me. We were proceeding under an agreement that upon a request to pass over a paragraph it would be done. I do not dis-

pute the fact that it may have been so understood at the desk; but it was not so understood by me, and was not so entered.

The VICE-PRESIDENT. May the Chair read the Senator's words?

Mr. BACON. Very well.

The VICE-PRESIDENT. They were as follows:

Mr. BACON. Mr. President, we have acted on paragraphs 280 and 281, but I wish to ask that they be passed over for further consideration.

Mr. BACON. Of course, that was exactly the point. It was understood and agreed to that the action would not be considered as finally taken because of my request made at that time. I so understood it then, and that language proves it.

We were at that time, Mr. President, somewhat in doubt as to the order of procedure as to what would be conclusive and what would be tentative, and almost within the same breath I called attention to the fact, when it was announced that the amendment had been agreed to, that while that was true, I desired it to be passed over, and I understood everybody to consent to that direction being given to it. That was certainly my understanding at the time and also that of a good many Senators around me.

Mr. ALDRICH. That passing over did not obviate the necessity of reconsidering the vote whenever any action was suggested that would change that action. My suggestion is that the vote be reconsidered by which the amendments to paragraph 280 and to paragraph 284 were adopted, for the purpose of withdrawing the committee amendments. If paragraph 281 should be taken up upon the motion of the Senator from Georgia or any other Senator, that would be a different question.

Mr. BACON. Of course, I understand that. I am—

Mr. BEVERIDGE. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Indiana will state his parliamentary inquiry.

Mr. BEVERIDGE. I wish to know from the Chair what is the legislative effect of what the Chair has just read; that is, where a paragraph is passed over and the amendments agreed to. Just what does that mean? Does it mean anything at all?

The VICE-PRESIDENT. It means that the paragraph, with the amendment agreed to, will have further consideration by the Senate.

Mr. BEVERIDGE. By the Senate?

The VICE-PRESIDENT. By the Senate as in Committee of the Whole.

Mr. BEVERIDGE. As in Committee of the Whole?

The VICE-PRESIDENT. Certainly.

Mr. BEVERIDGE. And not open to any amendment to the committee amendment?

The VICE-PRESIDENT. The Chair did not understand the last inquiry.

Mr. BEVERIDGE. And not open to any amendment to the committee amendment?

The VICE-PRESIDENT. Oh, certainly; open to any amendment.

Mr. ALDRICH. After reconsideration.

Mr. BEVERIDGE. That is just the point; is it only after reconsideration?

The VICE-PRESIDENT. But not, so far as the committee amendment is concerned, without reconsideration.

Mr. BEVERIDGE. Then, when it comes to this, for practical purposes, the mere passing over of a paragraph, with the committee amendment agreed to, in a case like this, where it is the only vital thing disposed of, amounts to nothing. It gives no right.

The VICE-PRESIDENT. It gives the right to further consideration in Committee of the Whole.

Mr. BEVERIDGE. Yes.

The VICE-PRESIDENT. Which otherwise it would not have.

Mr. BEVERIDGE. We are in Committee of the Whole now.

The VICE-PRESIDENT. Certainly. The Senator has that right now.

Mr. LODGE. I rise on the question of order simply. The amendment has been agreed to, but I understand the paragraph has not.

The VICE-PRESIDENT. That is correct; and the Senator from Rhode Island now asks unanimous consent to reconsider the vote by which the amendments to paragraphs 280 and 284 were agreed to. Is there objection? The Chair hears none.

Mr. ALDRICH. Now I withdraw the committee amendment in both instances.

The VICE-PRESIDENT. The Senator from Rhode Island withdraws the committee amendments to paragraphs 280 and 284. Without objection, paragraphs 280 and 284 are agreed to.

Mr. BACON. I simply desire to say that while I will not detain the Senate with an amendment now on this or any other paragraph, I expect to do so when we get into the Senate.

Mr. ALDRICH. That is all right.

Mr. BACON. I do that in the interest of those who seek to expedite the consideration of the bill. The question now recurs on 281?

Mr. ALDRICH. Yes; and I ask that paragraph 281 may be agreed to.

The VICE-PRESIDENT. Without objection—

Mr. BACON. I move to reconsider the action of the Senate by which it agreed to the amendment proposed by the Senate committee changing the provision in the House bill from 1½ to 2 cents a pound on fresh beef, veal, mutton and lamb, pork, venison, and other game, except birds.

Mr. BEVERIDGE. Let it be stated.

Mr. BACON. I move to reconsider the action of the Senate in agreeing to the amendment striking out the House provision, "1½," and inserting 2 cents in lieu thereof.

The VICE-PRESIDENT. The Senator from Georgia moves to reconsider the vote by which the committee amendment to paragraph 281 was agreed to.

Mr. ALDRICH. I shall vote against that proposition, and I shall do so with the idea that the committee will consider this question and see whether any modification should be made. I shall vote to agree to this paragraph as it stands—that is, with the committee amendment agreed to. I hope if there is any change to be made it will be after due notice and conference with the Senators interested.

Mr. BEVERIDGE. I hope the Senator from Georgia will not press his motion to-night, because I take it there will be some discussion on it.

Mr. BACON. I have no disposition to press for a vote to-night, but I must have a vote on it.

Mr. BEVERIDGE. Certainly.

Mr. ALDRICH. I suggest to the Senator from Georgia that he do not make the motion now, but wait until the matter gets into the Senate, because that would save considerable time. He will lose no rights by doing so.

Mr. BACON. I do not know why I should do that. I deferred to the wish so far as the paragraph unamended went. I propose to offer an amendment to the House paragraph. In other words, I propose to reduce below the rate proposed by the House the duties on bacon and ham and on lard, but I do not make the motion now, because the Senator having withdrawn the Senate committee amendments, there is no amendment pending to those two paragraphs. But when it comes to paragraph 281 there is a distinct Senate amendment.

Mr. ALDRICH. Will the Senator permit a vote to be taken now on the question of reconsideration?

Mr. BACON. Yes. I am not going to add anything to what I have said. I have discussed this as fully as I wish. But I do desire to state that I propose, if the Senate reconsiders it, to offer an amendment still further reducing the rate than it is in the House bill, especially since the interchange between the Senator from Idaho and myself, which has thrown some light upon the effect of his paragraph upon the prices the people have to pay for fresh meat.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Georgia to reconsider the vote by which the amendment was agreed to.

Mr. ALDRICH. I ask that the vote be taken by yeas and nays.

Mr. BACON. I was about to ask for that myself.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator, I withhold my vote.

Mr. CLARKE of Arkansas (when his name was called). I have a pair with the junior Senator from Delaware [Mr. RICHARDSON]. My colleague [Mr. DAVIS] is absent, unpaired. I transfer the pair with the Senator from Delaware to my colleague, to stand until further announcement, and I shall vote. I vote "yea."

Mr. ALDRICH. I think the Senator from Oregon [Mr. BOURNE] is paired with the Senator's colleague.

Mr. CLARKE of Arkansas. I think that has been canceled. My information is that that pair has served its purpose, and is exhausted by the time limit.

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "nay."



Mr. PAYNTER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. GUGGENHEIM]. If he were present, I should vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. He is absent. I am advised that if he were present he would vote on this motion as I shall vote. I shall therefore vote. I vote "yea."

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. McLAURIN]. If he were present, I should vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. PILES. My colleague [Mr. JONES] was called from the Chamber a few moments ago and has not returned in time to vote.

Mr. CLARK of Wyoming. I have a general pair, as I stated, with the Senator from Missouri [Mr. STONE]. I transfer the pair to the junior Senator from Washington [Mr. JONES] and will vote. I vote "nay."

The result was announced—yeas 32, nays 40, as follows:

#### YEAS—32.

Bacon	Clay	Gamble	Overman
Bailey	Culberson	Gore	Rayner
Bankhead	Cummins	Hughes	Shively
Beveridge	Daniel	Johnston, Ala.	Simmons
Bristow	Dolliver	Martin	Smith, Md.
Brown	Fletcher	Money	Smith, S. C.
Burton	Frazier	Nelson	Tallaferro
Clarke, Ark.	Gallinger	Newlands	Tillman

#### NAYS—40.

Aldrich	Clark, Wyo.	Elkins	Penrose
Borah	Crane	Flint	Perkins
Bradley	Crawford	Frye	Piles
Brandegee	Cullom	Hale	Root
Briggs	Curtis	Heyburn	Scott
Bulkeley	Depew	Johnson, N. Dak.	Smoot
Burkett	Dick	Kean	Stephenson
Burnham	Dillingham	Lodge	Warner
Burrows	Dixon	McEnery	Warren
Carter	du Pont	Page	Wetmore

#### NOT VOTING—19.

Bourne	Guggenheim	Nixon	Smith, Mich.
Chamberlain	Jones	Oliver	Stone
Clapp	La Follette	Owen	Sutherland
Davis	McCumber	Paynter	Taylor
Foster	McLaurin	Richardson	

So the motion to reconsider was rejected.

#### EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 1, 1909, at 10 o'clock a. m.

#### NOMINATIONS.

*Executive nomination received by the Senate May 31, 1909.*

##### REGISTER OF THE LAND OFFICE.

Arthur W. Orton, of Portland, Oreg., to be register of the land office at Lakeview, Oreg., vice John N. Watson, resigned.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate May 31, 1909.*

##### SURVEYOR OF CUSTOMS.

Edward L. McConnaughey to be surveyor of customs for the port of Dayton, Ohio.

##### PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Cadet Engineer Charles Albert Eaton to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Charles Herman Johnson to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Clinton Philo Kendall to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Howard James Kerr to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Ambrose Elwood Lukens to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Charles Joseph Odend'hal to be third lieutenant of engineers in the Revenue-Cutter Service.

Cadet Engineer Henry Charles Roach to be third lieutenant of engineers in the Revenue-Cutter Service.

Third Lieut. of Engineers John Frederick Hahn to be second lieutenant of engineers in the Revenue-Cutter Service.

Second Lieut. of Engineers Frank Gerome Snyder to be first lieutenant of engineers in the Revenue-Cutter Service.

##### CONSULS-GENERAL.

Alphonse Gaulin to be consul-general at Marseilles, France.

John L. Griffiths to be consul-general at London, England.

John H. Snodgrass to be consul-general at Moscow, Russia.

##### CONSULS.

William E. Alger to be consul at Puerto Cortes, Honduras.

Homer M. Byington to be consul at Bristol, England.

Ralph C. Busser to be consul at Erfurt, Germany.

Albert W. Brickwood, jr., to be consul at Tapachula, Mexico.

Charles M. Caughy to be consul at Milan, Italy.

Benjamin F. Chase to be consul at Leeds, England.

Robert T. Crane to be consul at Guadeloupe, West Indies.

George A. Chamberlain to be consul at Lourenço Marquez, East Africa.

Carl F. Deichman to be consul at Nagasaki, Japan.

Alexander V. Dye to be consul at Nogales, Mexico.

Frank Deedmeyer to be consul at Charlottetown, Prince Edward Island.

Henry C. A. Damm to be consul at Cornwall, Ontario, Canada.

James E. Dunning to be consul at Havre, France.

Cornelius Ferris, jr., to be consul at Asuncion, Paraguay.

Charles A. Holder to be consul at Rouen, France.

Franklin D. Hale to be consul at Trinidad, West Indies.

W. Stanley Hollis to be consul at Dundee, Scotland.

Leo J. Keena to be consul at Chihuahua, Mexico.

Will L. Lowrie to be consul at Carlsbad, Austria.

Samuel T. Lee to be consul at San José, Costa Rica.

Andrew J. McConnico to be consul at St. Johns, Quebec, Canada.

Charles K. Moser to be consul at Aden, Arabia.

Samuel MacClintock to be consul at Tegucigalpa, Honduras.

Maxwell K. Moorhead to be consul at St. John, New Brunswick, Canada.

Thomas P. Moffat to be consul at Bluefields, Nicaragua.

Edward J. Norton to be consul at Malaga, Spain.

Albert W. Robert to be consul at Algiers, Algeria.

Samuel C. Reat to be consul at Tamsul, Formosa.

Louis J. Rosenberg to be consul at Pernambuco, Brazil.

John A. Ray to be consul at Maskat, Oman.

Frederick Simpich to be consul at Bagdad, Turkey.

George B. Schmucker to be consul at Ensenada, Mexico.

Hunter Sharp to be consul at Lyons, France.

Lucien N. Sullivan to be consul at La Paz, Mexico.

P. Emerson Taylor to be consul at Port Louis, Mauritius.

Charles S. Winans to be consul at Seville, Spain.

Horace Lee Washington to be consul at Liverpool, England.

##### CALIFORNIA DÉBRIS COMMISSION.

First Lieut. Charles T. Leeds, Corps of Engineers, United States Army, as a member of the California Débris Commission.

##### REGISTER OF LAND OFFICE.

Arthur W. Orton to be register of the land office at Lakeview, Oreg.

##### PROMOTIONS IN THE ARMY.

###### INFANTRY ARM.

Second Lieut. Edward H. Pearce to be first lieutenant.

Second Lieut. Joseph O. Mauborgne to be first lieutenant.

To be PLACED ON THE RETIRED LIST OF THE ARMY.

###### WITH THE RANK OF BRIGADIER-GENERAL.

Col. Edgar S. Dudley.

Col. Owen J. Sweet.

###### WITH THE RANK OF LIEUTENANT-COLONEL.

Chaplain Charles S. Walkley.

##### APPOINTMENTS IN THE ARMY.

###### CHAPLAIN.

John Rivera to be chaplain, with the rank of first lieutenant.

###### MEDICAL RESERVE CORPS.

Thomas Collins Austin to be first lieutenant.

###### MEDICAL CORPS.

Wallace E. Sabin to be first lieutenant.

##### APPOINTMENT IN THE NAVY.

James D. MacNair to be a chaplain in the navy.